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STATUS OF ALASKA NATIVES

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

ON

OVERSIGHT HEARING TO PROVIDE THE COMMITTEE WITH VIEWS ON THE STATUS OF ALASKA NATIVES

MAY 27, 1989
ANCHORAGE, AK

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STATUS OF ALASKA NATIVES

SATURDAY, MAY 27, 1989

U.S. Senate,
Select Committee on Indian Affairs,
Anchorage, AK.

The select committee met, pursuant to notice, at 10 a.m., in Courtroom No. 1, Federal Building, Anchorage, AK, Hon. Daniel K. Inouye (chairman of the committee) presiding.

Present: Senators Inouye and Murkowski.

Also present: Senator Stevens.

Staff present: Patricia Zell, Chief Counsel.

STATEMENT OF HON. DANIEL L. INOUYE, U.S. SENATOR FROM HAWAII, CHAIRMAN, SELECT COMMITTEE ON INDIAN AFFAIRS

The Chairman. The hearing will please come to order.

Before proceeding, I would like to convey to you my apologies for the delay but I could not help it. Alaska Air Lines was slightly delayed and it wasn't their fault—there was a 50 mile an hour head wind.

On March 3 of this year, the Select Committee on Indian Affairs held a hearing in Washington on the recently issued reports of the Alaska Federation of Natives entitled, "The Status Of Alaska Natives—A Call For Action." Today's hearing is intended to provide an opportunity for those who could not travel all the way to the Nation's Capitol to provide the committee with your views on the status of Alaska Natives.

In order to hear a larger number of persons on the issues, we announced our intention to hold this additional hearing in Anchorage, Alaska and this Senate recess has given us our first opportunity to do so. I realize that this wasn't the best day for some of you, but it was the only day open on our schedule. I know that my colleagues who are sitting with me here this morning—Senator Murkowski, who is ranking member on the committee, and Senator Stevens, your senior citizen—oh, senior Senator. [Laughter.]

Had to rearrange their schedules to be here with us today. I am certain this is true for most of you.

We begin our testimony today. The issues are very serious and are matters of deep concern to all of us—to you, to my colleagues, and to the committee. However, I regret that our schedule did not allow all persons who wanted to testify to have that opportunity. Those who were earliest in their calls to our office are on the agenda. Many others have submitted, or are submitting, written testimony for the hearing record.

On the March 3 hearing, it was proposed that the Congress enact legislation to provide for a Federal, State, and Alaska Native Commission that would formally study the issues raised in the AFN report, as well as other issues of concern to Native people. The commission would be expected to report recommendations to the Congress and to the State of Alaska for legislative and administrative actions, to address problems identified in the course of the commission's work. The proposal received the strong support of every member of the congressional delegation, as well as the support of your Governor. Today, we look forward to your important testimony on the status of Alaska Natives and your views on the proposed commission.

We wish to welcome all of you to this hearing of the United State Senate Select Committee on Indian Affairs.

At this moment, I would like to turn to my very distinguished colleague on the committee, Senator Murkowski.

Senator MURKOWSKI. Thank you very much Mr. Chairman.

I would defer to the senior Senator who has put much more time in than I in the hearing process as well as in Washington, D.C. I won't refer to him as "senior citizen," however. He's a little touchy about that, Senator Inouye. So, Senator Stevens, please go ahead.

The CHAIRMAN. Alaskans are very polite.

Senator STEVENS. Mr. Chairman and Senator Murkowski, I'm delighted that you brought your committee here, as you committed yourself to do at the last hearings. I have just been sitting here contemplating whether I should file my application for my longevity bonus, Dan, now that you've let the cat out of the bag.

I welcome you to Alaska once again. Senator Inouye and I have had a long period of service together on the same committees. Now, it is really sort of ironic being from the two off-shore States, that we have ended up on appropriations, commerce, and rules. This is the one trail he took by himself and I'm delighted it has brought him to our State. I thank you for your interest in this subject and in the report that you've given so much time to. I look forward to working with you. I don't have any specific statement to make except that I, too, had a schedule to be here and have appointments in my office, so I'll be coming and going throughout the hearing. I hope that you will excuse me as I go to keep those appointments. I'm most grateful to you for your time in coming to join us today.

The CHAIRMAN. Thank you very much. I would like to point out that shortly Senator Stevens and I will once again travel to Alaska. As some of you may know, he is the Vice Chairman and I am the Chairman of the Appropriations Subcommittee on Defense. Alaska is an important part of the defense infrastructure of the United States, so we will be back at that time.

I would like now to call upon my distinguished colleague on the Senate Select Committee on Indian Affairs, Senator Murkowski.

Senator MURKOWSKI. Thank you very much Senator Inouye. I might mention, Senator Stevens, as you contemplate your longevity award, there is a free fishing and hunting license that usually goes with it. You don't want to pass that up. [Laughter.]

Let me thank you, Mr. Chairman, for convening this hearing and for devoting your time on this long weekend to the serious concerns of Alaska's Native people—a weekend where most Americans spend a little time in leisure and contemplation of Memorial Day. We do appreciate very much your being here. As you know, I flew in from Cordova this morning. Clearly, by the number of witnesses scheduled today, it is plain that Alaska's Native people and other Alaskans consider the concerns to be of a very serious nature. I feel quite sure that the numbers here today would be even larger but for the limitations of time. I'm looking forward to the testimony, reviewing the written statements to enlarge upon what we learned at the March hearing in Washington, D.C., which you referred to, and to obtain additional perspectives on the issues from those who were unable to participate in those Washington hearings.

Before commenting on today's hearing, I want to make sure that all of you know that the person representing our office this morning and throughout the hearing is Mr. Bob Arnold, directly behind me. Bob is no stranger to many of you, he's a person known for his work among Alaska's Native people for over the past twenty years, that goes back as far as the Federal Field Committee and the days of Joe Fitzgerald, some of you would recall that. As some of you know, he was the principal author of a book explaining the 1971 Land Claims Settlement and later in 1978 the Bureau of Land Management chose him to head up the Land Transfer Program to get lands conveyed to the Native Corporations. Of the four years he was with the agency, half of the total Native Land Entitlement was conveyed. I was very pleased when Bob accepted my invitation to take the position on the professional staff of the Committee. We're certainly very glad to have him in Washington, D.C. I am confident that he will be able to assist the Chairman and the rest of the professional staff on the uniqueness of some of the issues relative to Alaska's Native situation, and, of course, he's my principlal advisor on the kinds of Alaska issues we will be hearing about today.

Mr. Chairman, in my view you have wisely made the subject of today's hearing a very broad one, as one looks at the witness list we have a broad range and I think this will enable us to understand better the issues and the perspective for remedial action suggested by the people who are here.

In your letter to the village leaders, you described it as a follow-up to the March hearing and, accordingly, I would like to invite witnesses to comment if they so choose on one of the proposals that attracted a good deal of wide support at the earlier hearing. This was a proposal that a joint commission be established to develop specific recommendations for action by the State and Federal Governments to address the issues identified in these hearings. I was among those who agreed with the proposal. I plan to draft legislation soon after my return to Washington. Our staffs have been engaging in preliminary discussions on what such a bill should contain. Let me explain why I think the idea gained such significant support at the March hearing.

First, the issues, of course, are complex, they cover education, training subsistence, rural economic development, local government, social health problems, among others, that require analysis of the facts and laws to devise sound recommendations.

Second, and equally important, if progress is to be made in addressing these issues, it will require collaborative effort by the Natives, the State of Alaska, and the Federal Government. A Commission made up of these parties can be the forum for that cooperative effort.

Third, apart from specific problems of severe underfunding, like the Community Health Aid Program, few have argued that simply spending more on existing State and Federal programs will necessarily solve the complex problems.

Increases in spending are going to be exceedingly difficult, as we know, to obtain at any level of government. What is really needed is not only an analysis but creative thinking and much of that comes from those who know first-hand the problems best, not necessarily from government. Government more often can guide, it can redirect priorities, but it cannot experience life in an Alaska village. I think the establishment of a Commission can be and will be a constructive first step in moving toward improvement in the life opportunities of Alaska's Native people.

In closing, let me again thank you, Mr. Chairman. Obviously, you and I both know that we can't solve every problem brought before us for a variety of reasons but we can solve some of them. I think substantial progress has been made in areas. You recall that in 1983 we had the hepatitis B, which was of epidemic proportions. There was substantial progress made. We recall at a time when we were able to obtain about $7 million from State and Federal Governments to carry out a program of mass immunization and analysis at the University of Alaska, Fairbanks. These are some of the examples of what can be done. Obviously, there is much more to be done and I look forward to hearing the testimony today. I understand, Mr. Chairman, you're going to some of the villages tomorrow with some of the professional staff. I believe John Moseman, my Administrative Assistant, is going, as well as some of the other delegation members. This is not just the end of your visit to Alaska and I'm very pleased that you'll be going out to the villages that are affected primarily by the oil spill, the villages in Prince William Sound.

Thank you very much, Mr. Chairman. We look forward to hearing from the extended witness list that I see before us.

The CHAIRMAN. I thank you very much. Before proceeding, to underscore the importance of this gathering, I have brought along the chief counsel of the committee. She is the chief editor of the American Indian Law Review. She is a Navajo Indian and her name is Dr. Patricia Zell and she sits in the back of me. She is the chief legal counsel of the staff.

We have this morning and this afternoon six panels made up of distinguished, knowledgeable witnesses. Our first panel is made up of the following: Mr. Mitch Dementieff, President of the Tanana Chiefs Conference of Fairbanks; Ms. Eva John, Tribal Administrator of Mentasta Lake Traditional Council; Ms. Mary Jane Fate, President and Executive Director of the Baan O Yeel Corporation of Rampart; Mr. Lincoln Tritt of the Arctic Village; Mr. William Miller, representing the Dot Lake Traditional Village Council; and Mr. Tony Vaska, Alaska Native Coalition on Employment and Training of Bethel.

STATEMENT OF MITCH DEMENTIEFF, PRESIDENT, TANANA CHIEFS CONFERENCE, INC., FAIRBANKS, AK

Mr. **Dementieff**. Senator Inouye, welcome to Alaska.

My name is Mitch Dementieff. I am the President of the Tanana Chiefs Conference, a regional Native non-profit corporation serving 43 interior Alaskan tribes.

I will begin my oral testimony today with some comments regarding the Alaska Native Review Commission. I would like to point out that current national Indian policy was shaped in 1971 by President Nixon. Since 1971, Congress has included Alaska Natives within tribal self-determination policies of the United States and continues through the recent adoption of the 1991 amendments. ANCSA may have confused the situation. However, ANCSA corporations are only vehicles to implement economic self-determination in Alaska. The tribes and tribal organizations remain the vehicle for political self-determination, serving Native health, social, cultural, subsistence, housing, education, and tribal economic development, and intergovernmental concerns. We do need oversight to ensure that Federal Indian policy is implemented in Alaska. We do not feel that we need a policy review at this time.

If a Commission is authorized, we do have two prime concerns that we'd like to point out. One is the membership. We encourage bone fide tribal representation in that Commission. We believe that the ANCSA concerns were largely taken care of in the 1991 amendments. Tribal membership should include or be equal to the combined Federal and State membership on the Commission. We feel there is no place on the Commission for public members. We feel this is important in order to protect the government-to-government quality of the Alaska Native special relationship.

Second, we seriously are concerned about the Commission studying subsistence. Currently Title VIII was adopted in ANILCA and represents a good compromise and Alaska Natives stand by the word that we gave in 1980 and we expect the State to do likewise.

In the area of alcohol and drug abuse, in 1986 the Tanana Chiefs Conference declared war on alcohol and drugs. We feel that the most progress has been made when Native people are the ones who are operating these kinds of programs and gearing these fights. To accentuate that point, last year Tanana Chiefs started a traditional healing camp utilizing traditional counselors to guide people with drug and alcohol programs in a subsistence camp environment. We have made good progress with this camp and are very proud of it and hope to expand that effort in the future.

Some of our villages have adopted tribal ordinances banning or regulating alcohol in our villages. The Department of Interior continues to delay the publishing of those ordinances and that is delaying Justice Department support for the same. We support Native self-reliance to combat this serious problem and urge Federal cooperation.

In the area of education, the transfer of Native education to the State was done at the height of Alaska's oil wealth. With that same declining wealth, we are deeply concerned that Alaska may not be able to meet its education responsibilities. All Native education money should be tied to the Federal policy of self-determination. We propose a Federal and State tribal compact on education to assure that the Federal government does not abandon Native education.

In the area of tribal government, the Federal acknowledgement process established in 1983 has lead to significant problems in Alaska in the area of tribal status. The BIA has caused these problems by wild fluctuations in the FAP listings and TCC proposes a legislative solution. The Congress we feel should enact legislation to name the tribes of Alaska once and for all.

In the area of religious freedom, it is no secret that Athabascan peoples religious practices are actively suppressed in Alaska. We are most concerned about prosecution of Natives on Fish and Game violations for taking game for religious ceremonies, i.e., the funeral and the memorial potlatchs are some examples of things we've had some problems with. In litigation in 1979, *Frank* v. *State of Alaska* decided that Athabascan people have a religious exemption for potlatches. However, since that time, the State has narrowly construed the ruling to apply only to funeral potlatches. The State claims basically that memorial potlatches are planned and that we should use our own individual harvests for our religious ceremonies such as the memorial potlatch. We believe that the State should protect Native peoples' harvests for religious purposes and that Federal legislation is needed to assure continued protection of our religious rights.

That, Mr. Chairman and Senators Murkowski and Stevens, is an oral highlight of my completed testimony. I thank you once again for the opportunity to come and speak with you today.

[Prepared statement of Mr. Dementieff appears in appendix.]

The CHAIRMAN. I thank you very much. I would like to assure all of you that your written statements will be made part of the record. You may summarize, if you wish to, your statements.

On the Commission membership, do you have any specific suggestions as to how it should be made up?

Mr. DEMENTIEFF. Yes; I pointed out that I feel that we need to have strong tribal representation on that Commission. I think if the plans for the Commissions are going to go ahead, it would be in the interest of the tribes and the tribal organizations to get together and discuss further what the composition of that Commission should be.

The CHAIRMAN. Do you mean half the members should be Alaskan Natives?

Mr. DEMENTIEFF. We feel it is very important to do that.

The CHAIRMAN. One can argue otherwise. I remember when a similar situation was presented—this was on the reparations measure for those who were interned during World War II—at that time Aleuts and Japanese Americans suggested that half the membership should be either Aleuts and Japanese. I suggested that would be the worst thing to do because then it would be a Japanese Commission. After all, this has to be passed by Congress. It has to be implemented by the State government here. It might be in your best interest if the membership is less. Just think about that.

How often do you have memorial potlatches? You must forgive me because I don't know your customs here.

Mr. **Dementieff**. There is not a set schedule for many of them. Some certain aspects of our cultural have different ways that those are held. From the stick dance in the Lower Kalskag area that's held in March and April every other year to in Unana, for example, we had one in my hometown last fall and it has been I think 3 or 4 years since we had one prior to that.

The **Chairman**. I thought something was held every other week.

Mr. **Dementieff**. No; these are not something that happens every other week. They are very, very specialized situations.

The **Chairman**. From the testimony I thought you had them so often that that is why the government objected to that.

Mr. **Dementieff**. I guess it is easy to look at it that way. The State of Alaska, Department of Fish and Game, has published their own opinion that potlatches have very little to do with the resource. The harvest is so small compared to the other harvests of those game resources.

The **Chairman**. How much do you need for potlatch?

Mr. **Dementieff**. It varies from event to event. More recently most memorial potlatches have been lasting about 3 days. Right after the big flu epidemic in the early part of this century there was a memorial potlatch in Unana that lasted a month, so many people had passed away during that flu epidemic that it was a month-long potlatch.

The **Chairman**. I thank you very much.

May I now call on the Tribal Administrator of the Mentasta Lake Traditional Council, Eva John?

STATEMENT OF EVA JOHN, TRIBAL ADMINISTRATOR, MENTASTA LAKE TRADITIONAL COUNCIL

Ms. **John**. Good morning honorable Senator Inouye and staff members. Welcome once again to the arctic. My name is Eva John. I am here representing the village of Mentasta. And, by the way, I left a potlatch back home to come down here.

My mother is Katie John, one of our tribal elders. She raised 14 children and many nieces and nephews and grandchildren. At one time she took care of four babies at once. She fished with her parents at Bansaneda, the place she was born. For years she fed all the children from the rivers where she was raised. Today she has over 65 grandchildren and 25 great-grandchildren. She asked the State Fish and Game Board how they expected her to feed everyone with the two days per week fishing time. The land where she wants to continue fishing is her Native allotment. We have been through hearings for the past 4 years with no success. She still cannot fish like she needs to. It takes 35 King Salmon to feed a household—a couple with three children and an elder—for 1 year. So you can understand her concern and see her frustration and anger.

We are a short distance from Teplalan, a village that the State entered on an alleged game violation in 1984. We know and are related to the people who experienced the trauma of an armed Fish and Game unit entering their village.

Recently we read about an incident in Tununak where the State Troopers took away one of the villagers on a game violation. We understand that this was done in a violent manner.

Senator Inouye, where I live most people do not understand State regulations. They seems to express fear at bringing this to someone's attention. Does this mean that my mother will be treated like that young man from Tununak? We realize you are pressed for time and, therefore, we would like to conclude this testimony by requesting that the names which I am submitting to you be made available to your investigating staff for the purpose of addressing our land hunting rights. These others, like my mother, had Native allotments that have been and are still being developed without their knowledge or permission.

Finally, we are urging you to begin at once an investigation into the report that the hepatitis vaccine, which has been administered to Alaska Natives, has been tainted with AIDs virus. I have four children. I was a health aide to urge others to receive the vaccine. I have received all the series and have administered it to the people in my village. I have the right to know if the vaccine was tainted.

Please accept this brief statement as testimony to your committee on behalf of the people of the village of Mentasta. Thank you for your time and your consideration.

The **CHAIRMAN**. To the best of my knowledge, the vaccine has not been tainted. We have looked into this and will continue to look into it. I think it is just a bad, bad rumor, that is all. As of this moment, there is no incidence to indicate that it has been tainted. So, will you tell your villagers that investigations would suggest that there is no taint or contamination of the vaccine.

Senator **MURKOWSKI**. I might just follow up. Current information, Ms. John, is that the Alaska Native Health Service and Indian Health Service have both indicated that they have absolutely no evidence that there has been any tainting of the vaccine. They are very concerned and will continue to investigate. So I would agree with the consensus of the Chairman. We will continue to pursue this matter, however, but that's the current information on this.

The **CHAIRMAN**. May I now call on Mary Jane Fate, President and Executive Director of the Baan o yeel Corporation?

STATEMENT OF MARY JANE FATE, PRESIDENT AND EXECUTIVE DIRECTOR, BAAN O YEEL CORP., RAMPART

Ms. **FATE**. Good morning Senators Inouye, Frank Murkowski, and committee members in Washington, DC. My name is Mary Jane Fate and I reside in Fairbanks, AK. I am President of the Village Corporation of Rampart, formed pursuant to the Alaska Native Claims Settlement Act. I am presently the Cochairman of the Alaska Federation of Natives.

Today, I appear before you on my own behalf, and also on behalf of those committees I would like to thank your committee for being here today. We would really like to extend our gratitude.

Today I appear before you on three issues:

First, the subsistence issue has again made the news. Section 803 of Title 8 of the Alaska National Interest Lands Conservation Act deals with subsistence in our State and it is vitally important to all the people of Alaska. The agonies, the bitterness, and enmity which it has fostered has become a symptom of a bill of such complexity that it has confused and will continue to confuse those people having to deal with its implementation.

The latest approach of going slowly in amendment of the subsistence section, perhaps, in the long run, may be the best approach. Only with deliberate and well thought out methodology can any amendment of ANILCA be of lasting benefit to all of the people of this State and not just an appeasement to those who have no social or economic interest in the State of Alaska.

Second, a number one crisis in this State is illegal drugs. The present data in this State on substance abuses and related problems is not only scarce, but is incomplete and half truths. If the research was accurate and complete, we all would be alarmed at the point of crisis we presently are in.

At the last AFN Convention held in October, 1988, there were 10 resolutions on drugs substance abuse. The Elders and Youth Conferences, which were held immediately prior to that Convention, passed numerous resolutions on Drug Abuse. At the March, 1988 Tanana Chiefs Conference held in Fairbanks, there were 17 resolutions pertaining to drug abuse and related problems. The Elders and Youth Conferences passed many drug related resolutions just prior to the TCC Conference. Individual Alaska Natives are also concerned and are going to see that something is done about this grave problem.

I present to you the following points to consider:

1. Research to provide more correct data on drug abuse amongst Alaska Natives.

2. An educational preventive program be instituted involving our people along with medical professional personnel.

3. Organizations and individuals are calling to eliminate alcohol and drug abuse among Alaska Natives.

4. Treatment programs to be instituted and operated in the best interest of the patients.

5. Alaska Natives be trained at all levels to combat and protect the innocent citizens being affected by this terrible crisis and this training must include the Community Health Aides.

You have read and heard about the alcohol problems, but the majority of the health and social/behavioral problems are drugs and/or a combination of drug and alcohol.

I commend you for the passage of the Anti-Drug Abuse Act of 1988.

Third, with regard to the AFN Report on the Status of Alaska Natives: A Call for Action you have already heard the testimonies in Washington, DC, and you have a copy. I support the findings and recommendations contained in the report and I would like to thank you for taking them into consideration.

In conclusion, thank you again for making this hearing available here in our State.

The CHAIRMAN. Thank you very much Ms. Fate.

Senator MURKOWSKI. Mary Jane, I certainly concur with your concerns and recommendations. I was surprised to hear in Valdez last night with regard to a number of out of State people who were working on the beaches of Shelikof Strait, when the inquiry was made for workers, it was advised that many Alaskans could not pass the drug test which was required to work on the beaches. It is a significant reality. It is not just Alaska Native people by any means—drugs know no racial bounds. It is a tragedy and a reality that we have to face up to and I think you have drawn even further attention to that reality.

For the benefit of the Chairman, I might add that Mary Jane is from Fairbanks. The Chairman asked me before the hearing started if this was an average day in Anchorage. Not residing in Anchorage, it would be inappropriate for me to comment but Mary Jane lives in a community 400 miles north and I think it was 70 degrees and sunny. So, I just wanted you to know that much of Alaska is like Hawaii, Mr. Chairman. [Laughter.]

The CHAIRMAN. This is tourism now, then?

Ms. Fate, are you suggesting that the reports we have received to date on alcohol and drug abuse affecting Native Alaskans are not quite accurate?

Ms. FATE. Senator, I don't want to say that maybe they are outdated and maybe not updated. Most of us Alaskan Natives are true wonderful, great citizens—I would like to make that point—and they are sober. We are concerned about our youth that are innocent and are being abused and used and are handicapped. I feel our data is outdated and I feel maybe the programs are not meeting some of their bottomline requirements.

The CHAIRMAN. You mean the real numbers are worse than what we have now?

Ms. FATE. I believe so.

The CHAIRMAN. Well, it is bad enough with what we have. I can assure you that we will look into this. Thank you very much.

Our next witness is from the Arctic Village, Mr. Lincoln Tritt.

STATEMENT OF LINCOLN TRITT, ARCTIC VILLAGE, AK

Mr. TRITT. Thank you Mr. Chairman. I'm here in place of the Chief of our village, Trimble Gilbert.

Arctic Village is a federally recognized tribal village. By this fall we should have a certified Native teacher in that village. What we did up there was just bring everything to a halt, stop everything, and then reassess our situation. Since studying our history we've found that the missionaries and the BIA took it upon themselves to do everything for the village. As a result, a lot of responsibilities were lost among our people. During the late 1960's, there was a group of vista volunteers up there who did everything from repairing engines to doing the income taxes. We ended up with some well educated list of vista volunteers but it didn't do us any good. We have found that in order to work better among ourselves and educate ourselves and work with alcohol and drug problems, we need to assume a lot of the responsibilities for ourselves. Pride in the individual is what we've been trying to develop. As we see it, it is the individuals who make up the tribe. It is working pretty well, I think. Most of our problems up there are being handled by our own people and right now we don't have any drug or alcohol problems.

Through our history, our people adopted more of the church values than they did those of formal education. That's because their background is that of a nomadic tribe. They had to have more in the way of personal values than they did with material values, unlike today's society where more of the value is measured in dollars and cents. Understanding our own historical perspective helps us a lot in understanding and adapting to modern society.

One of the problems we do have up there as far as education goes is there is too much politics involved in our education. Education has become a victim of politics. They are not teaching people to use their brains, it's more like processing people.

Working with all these problems from our own perspective and our own background, we find it helps us a lot to understand more things. At this point, what we need more is more formal education. A couple of years ago a class in Federal Indian Law and the instructor would teach it and I would interpret it in a way that our people would understand it. That way the idea came across a lot easier than it would have with a normal teacher.

I was asked to assure you that self-determination does work. It has worked in our situation and I'm sure it will work in other villages.

I was also asked to request a hearing in our area or other rural area because most recognized Native leaders are urban Natives and their perspective on a lot of the issues are urbanized. [Laughter].

Like I said, when we work with all these problems ourselves from our own perspective, our own value system, and adapt that to the modern society, it makes for a lot smoother transition.

Thank you.

The CHAIRMAN. Because of my belief that the real solutions to your problems can be found in the villages and not in Washington, DC, that is why have I travelled to Alaska on two occasions. The first time I spent 80 percent of my time in Native villages, as you know, and spent just one day in Anchorage. This time I will be spending half the time in the villages, primarily to see the effect of the oil spill. But your concern is a valid one. Often times city people don't know what the country folks are doing.

You said one thing that concerned me—that there is too much politics in education. What do you mean by that? Politicians are trying to influence you?

Mr. TRITT. In our area they have a school board of directors and a lot of times the board of directors sacrifice needed education in order to maintain a position. The decisions of most of the directors are made on the basis of votes.

The CHAIRMAN. Who selects the board members?

Mr. TRITT. I think they have different selection districts within the district.

The CHAIRMAN. Do you select them?

Mr. TRITT. Yes; the people in the villages do.

The CHAIRMAN. Apparently the people in the village are satisfied with them.

Mr. TRITT. Not as far as I know. A lot of our high school graduates——

The CHAIRMAN. Why don't they throw them out in the next election?

Mr. TRITT. They have a lot of political clout. They have a lot of money backing them. They are mostly people in influential positions.

The CHAIRMAN. You mean that these board members buy off their voters?

Mr. TRITT. I don't think so. A lot of our people are not educated to the point that they understand politics. They tend to believe whatever somebody who has any schooling tells them.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Is it your interpretation that perhaps the board is influenced by progressive educators that may be hired into the system by the board which directs the curriculum which, perhaps, as basic as you would like to see it? Is that what your suggesting to the committee?

Mr. TRITT. In the past years, the amount of education a person has—how well he reads and writes—has a lot of influence on the people who do not read and write. They don't know what's going on so they tend to listen to people who can read and write more than they do to the elders. Most of those people who have learned to read and write are just out of school so the influence is held, in some cases, by the wrong people. It is not how much they know that gets them in the position, it is just their ability to read and write.

The CHAIRMAN. I thank you very much Mr. Tritt.

Our next witness is Mr. William Miller, representing the Dot Lake Traditional Village Council.

STATEMENT OF WILLIAM MILLER, DOT LAKE TRADITIONAL VILLAGE COUNCIL

Mr. MILLER. Good morning Mr. Chairman, Senator Murkowski. My name is William Miller. I am here today to represent the tribal members of the Native village Dot Lake as well as the Dot Lake Village Council.

First, I'd like to comment on the AFN report on the Status of Alaska Natives. We found the report to be very informative and factual as far as it went. My major problem with the report was that it addressed primarily western Alaska and not the interior Native villages and/or Natives. Because of our closeness to the urban areas, a number of the Native villages in the interior, the impact on these areas has at times been even greater. The village members must leave the village to survive. Hunting and fishing pressures from the urban areas have had a very negative effect on their subsistence way of life.

ANCSA, even with the passage of ANILCA and the 1991 amendments, did little to help the village people. If anything, some of the actions and the State's interpretation of them has even hurt the individual tribal members. They are without a tribal land base because all the land belongs to the corporations. This whole concept is alien to the Native way of life. Throughout history the Federal Government has taken away traditional life styles of the Native people and attempted to make up for it through welfare programs administered and controlled from outside the village by individuals with little or no knowledge of the Native life or traditional values or cultures. ANCSA is another example of this.

A number of individuals who worked on the settlement, including some of our respect elders, were under the belief that the land and cash settlements would go to the tribal members through their individual tribal councils. The Federal Government, in its great wisdom on Native lifestyles and values, required the formation of corporations before any land or cash was given out. Being very knowledgeable of the Native culture and their history of sharing, the government even built into the Act a requirement that the corporations share profits with one another and that the corporations be comprised of shareholders—again, the idea of sharing. This has not been the case in a number of instances. Villages that once shared with one another and worked together have become divided from one another. The ownership of land under the law is not the same as the mutual respect for ones rights to use the land and resources.

In the traditional way, an individual or family utilized an area for hunting, fishing, or trapping. They would farm the resources to ensure future use. Their rights were respected and no one would violate them. Today, this is corporation land and a number of corporations are afraid to even allow their shareholders to use land without payment for fear of lawsuits from other shareholders for giving away corporate assets without obtaining fair market value.

A number of agencies and individuals failed to realize that the corporations and the village councils are two different and separate entities. The village councils have little or no control over the land or land matters. Also, some individuals and agencies view Natives born after 1971 as non-Natives. Lands transferred under ANCSA were not free and clear, they were subject to valid existing rights. This meant a large percentage of the money given to some of the corporations was expended in an attempt to retain the lands supposedly given to them. In addition to this, large amounts of cash have been expended on lawyers, accountants, and consultants so that the corporations could meet the different Federal and State requirements. ANCSA became a lawyers, accountants, and consultants retirement fund.

Section 801, subsection (1) of ANILCA, states in part, "the Congress finds and declares that the continuation and opportunity for subsistence use by Alaska Natives on Native land is essential to their existence." The State of Alaska has given no consideration to Native lands in establishing their hunting and fishing regulations, laws, or seasons. Within the area of the Native village of Dot Lake, the hunting season for moose, which is within their traditional hunting area, has been reduced from approximately 75 days in length in 1971 to a 10 or 20 day season in 1988. The subsistence season is identical to the sport hunting season. Approximately 65,000 acres of this area is Dot Lake Native Corporation land under ANCSA. We were told that Title 8 of ANILCA was designated and designed to protect the subsistence lifestyle. Right now, as we talk and testify, one of the Alaskan representatives has introduced a bill into the House which, if passed the way it was originally introduced, would exclude large numbers of our Native villages from being considered as rural and therefore they would not be considered subsistence users. All of this because the State of Alaska wants rural to be defined in reference to communities and based on the community economy, not on individual rural residence. I cannot find the word "community" anywhere in Section 801, 802, or 803 of ANILCA with reference to subsistence. Once more, is the government speaking to us with forked tongue.

Why do all government regulations and/or written correspondence refer to American Native tribes and Alaska Native groups. Also a number of Federal program announcements state that Native village councils, Native corporations, and Regional corporations are qualified to apply. Is this another attempt to put village councils in the same category as corporations and eventually take away the tribal status? Also, villages do not like to be referred to as groups or communities. They are, always have been, and always will be Native villages and tribes in the eyes of the Native people.

You ask how the Native people of Alaska can be helped. First of all, give them back their land and their pride. Listen to them on issues that concern and affect them. Do not listen to large profit corporations and organizations that represent the interest of these corporations. Remember the Native people of Alaska never voted in favor of ANCSA or the other legislation that was passed to "help them." What is needed now is first of all that tribal status of the Native villages of Alaska must be recognized by the Federal and State Governments. The State must start putting the Alaska Native village governments on the same level as governments organized under State law, such as cities. Service and assistance programs made available to cities and municipalities in the State of Alaska must also be made available to the Native village councils. For example, presently a number of village councils qualify for State revenue sharing. This program has decreased by almost 58 percent in the last few years, from $25,000 a year to approximately $10,500 for this year. Have revenue sharing and municipal aid for the cities and the municipalities within in Alaska been reduced by the same 58 percent? No.

Our villages are organized traditionally and have their own government. The tribal governments need a land base. A method of transferring land from the corporate status to villages was included in the original language of the 1991 amendments. Once again, because of pressure, this language was dropped from the bill. With the return of the land to traditional tribal status, the recognition of tribes in Alaska and equal consideration with cities for State services and programs, the Natives can again have pride and stand tall. They can take control of their destiny. No longer will they be a second-class citizen or a divided people.

Thank you, sir.

[Prepared statement of Mr. Miller appears in the appendix.]

The CHAIRMAN. I recognize that there is a difference between a village council and a corporation. How was the corporation formed?

Mr. MILLER. Corporations were required under ANCSA. They had to form a corporation, they could not use the village council.

The CHAIRMAN. Who sits on the board?

Mr. MILLER. The board is elected by the shareholders of the corporation.

The CHAIRMAN. In the village?

Mr. MILLER. In the village. Well, in or out of the village. Shareholders also live in Anchorage, Seattle, wherever they live.

The CHAIRMAN. Who elects the members of the council?

Mr. MILLER. The people living in the village who are tribal members. You have to reside in the village to be a member of the tribal council. You do not have to reside in the village to sit on the board of directors of the corporation.

The CHAIRMAN. So tribal members do have some involvement in corporate activity?

Mr. MILLER. Yes; they have some involvement, but the corporations are also bound by State and Federal laws as to what they can and cannot do. The tribal council, for instance, could set up massive social programs within the village for tribal members. The corporation has a problem with giving away assets in violation of State law.

The CHAIRMAN. But the corporation is not run by outsiders?

Mr. MILLER. No.

The CHAIRMAN. One would get the impression from your testimony that the corporation was some foreign entity but it is not, is it?

Mr. MILLER. It is alien to the Native way. It is forcing formation of a corporation of shareholders under State and Federal laws and regulations and requirements as opposed to a tribal council.

The CHAIRMAN. Is this the consensus view of all Native Alaskans?

Mr. MILLER. I don't know of all Native Alaskans, sir. You can ask the ones who are here. [Applause.]

The CHAIRMAN. I thank you very much, sir.

Our next witness is Mr. Tony Vaska.

STATEMENT OF TONY VASKA, ALASKA NATIVE COALITION ON EMPLOYMENT AND TRAINING, BETHEL, AK

Mr. VASKA. Senator Inouye, Senator Murkowski, members of the Select Committee on Indian Affairs, thank you for giving Alaskan Natives the opportunity to testify before you on the conditions of Alaska Natives in Alaska.

My name is Tony Vaska and I am currently the Jobs Training Partnership Act Director for the Association of Village Council Presidents. I am also the chairman of the Alaska Native Coalition on Employment and Training, which is comprised of 12 JTPA employment assistance programs from throughout the State.

I will concentrate my remarks on the areas of employment and training in Alaska. More specifically, about the JTPA programs that are administered by the Alaska Native organizations. I realize that there are many other equally important issues about the state of Alaska Natives, but those who have expertise in their various specialties will give you testimony better than I can today.

A brief summary of the JTPA programs in the State of Alaska in trying to deal with the massive social dislocation by Alaska Natives shows these statistics—the latest completed statistics are from 1987—the total amount of money provided to the grantees by the Department of Labor is $2.2 million among the 12 regions. As has been provided to the committee, the last completed reported year, 1987, the statistics show that the Alaska Native organizations served 1,330 Alaska Native participants—1,122 were terminated from the program, 739 completed their training and entered employment of one type or another, 383 of those individuals went on to other training or successfully completed their intended training activities.

The job placement rate for all Alaska Natives for 1987 by the JTPA programs run by the Alaska Native organizations was 61 percent.

The kinds of training provided by the grantees include basic and remedial education, skill training, on-the-job training, and work experience opportunities. Additionally, the grantees provide for summer training for youth between the ages of 14 and 21.

In their Pulitzer Prize article, The Anchorage Daily News, in January 1988 said, "Across the State more and more Alaska Natives are killing themselves and damaging their loved ones, deciding that life is no longer worth cherishing. Almost always alcohol is their final companion." This quote is the same one used in the beginning of the AFN report on "The Status of Alaska Natives: A Call for Action." While the call for action by the Alaska Federation of Natives pinpoints a more grim picture of the Alaska Natives in many social and economic areas, and the AFN proposes some action, too little is suggested in real terms for Native people in the immediate future to break the cycle of devastating poverty and illness, both psychological and physical. The AFN report is correct in saying that there have been large gains within the Alaska Native population over the past 50 years in bringing up to par the lives of Alaska Native people through better medicines and cures for such diseases as tuberculosis and influenza. However, if you look at the health crises areas of suicide, homicide, accidental death and injury, crime and incarceration, and children in peril, then the numbers of Native people directly affected are staggering to the imagination.

One area of trying to curb this crisis that I am currently involved with is job training and education. In the case of the Job Training Partnership Act (JTPA), there have been some successes that are worth talking about. While I can't talk about the more than 1,300 participants we serve on a yearly basis, it surely does not come close to meeting all of the needs of the Alaska Native people in training and employment. We, in the field of job training, keep in mind that we are contributing to the welfare of Native people despite some institutional constraints found in the regulations governing the JTPA program.

In addition to the JTPA programs, most Alaska Native organizations are also taking full advantage of the jobs opportunities and basic skills training funds available through the passage of the Family Support Act of 1988. Due to the fact that the regulatory and program implementation of the program are still in the infancy stage, I will concentrate on the JTPA programs. I would like to add at this point, however, the reason the Alaska Native organizations applied directly to the Secretary of Health and Human Services to implement the jobs program is because we are experienced in providing training and employment services to Alaska Native people and we would like to continue to exercise this opportunity of self-determination.

At the present time there are several proposals coming before Congress which are addressing the JTPA program. While none directly addresses the Indian and Native American grantees, history shows that when such changes occur there is a ripple affect that comes over to the Native program. This gives us reason enough to address the larger issues of the JTPA law and the regulations that the Department of Labor promulgates. For instance, while there is an Indian desk in the Deoartment of Labor, there are few Indians and probably no Alaska Natives or Native Hawaiians on the staff who are intimately familiar with the Indian country issues, problems, and avenues for possible solutions. While there may have been an advisory committee to work for the Department of Labor JTPA program for State and counties, there has only been an advisory committee proposed for the Indian programs, despite the fact that the existing law requires consulting in good faith with the tribes. It only seems in order that Congress should hear directly from the Indians in providing services to Indians and, better yet, for using real self-determination to address issues and problems in Indian country. This public hearing today is an excellent example of going into Indian country to consult with tribes and tribal people and we thank you for that.

Let me address Senator Simon's bill, S. 543, which seems to be the one most likely to make changes to the JTPA law. The change of the youth title seems to be in the right line by making the youth program a year-round program rather than just a summer program. This would help our organizations plan better for the whole year in specifically servicing those youth between ages of 16 and 21. The new legislation proposes to increase the age to 24. While we favor this change, there is an unintended impact that should be corrected. Currently there is a set aside for tribes and Alaska Native organizations in the amount equal to 3.3 percent of the Title II (A) funding. With the proposed changes of reducing Title II (A) by 40 percent to add it to a new Title II (B), the set aside cut in Title IV of the Indian Title, the funding cut would also mean 40 percent. I doubt that Congress intends to cut the Indian and Native American youth funding by 40 percent. If that is the case, I suggest that appropriate changes be made to avoid this cut by continuing the current relationship between the Indian Title IV and summer youth programs. The formula in S. 543 would have to be amended clearly for Indian set aside and the funding level set at approximately 3 percent to achieve the similar set aside presently being used.

Additionally, the "Fair Chance" section in the Youth Title should also include a set aside for Native programs. This set aside funding process used by Congress is an adequate though antiquated method for continuing the government-to-government relationship between the Federal Government and the tribes.

While we can show some good results coming from the JTPA programs, there are some problems which should be addressed by Congress. Congress intended that the law should be run in such a way as to meet the goals of Indian tribes, Alaska Natives, and Native Hawaiian organizations. The law says that the policies for the programs should be developed in consultation with tribes and organizations. Unfortunately, this congressional intent is only loosely being followed. Some examples of this are the performance standards set by Labor in regard to the real economic conditions of Native people. Some of these standards ignore the most serious needs of Native workers. For instance, it takes more than the standard of limited funding to adequately train a high school dropout with limited basic skills and education; yet, one of the more stringent performance standards we face as trainers is cost per participant. I assure you there are other problems with existing performance standards as they affect Native programs. The classic one is the entered employment rate. If what we tell you is true in Indian country, that there are few job opportunities or opportunities for creating jobs, then the performance standards to place Native people in jobs is stressful for both the service provider and the participant. Nevertheless, the statistics show that despite this, we have placed 61 percent of the participants on jobs.

Finally, the last performance standard is positive termination. While most of the grantees across the nation meet this standard, it is increasingly difficult to constantly tell Native people that simply finishing a training or educational program is positive. Most are interested in real jobs that are long-term and satisfying to their well-being.

If you have not already heard the many grim statistics and desperate needs of the Alaska Natives, then you probably will throughout this hearing. The JTPA programs offer some solution to helping alleviate these problems through training and education to build self-esteem, economic and social lives with services provided directly by Native organizations for Native people. We ask that this self-determination effort not be hand-cuffed with bureaucratic shackles and what sometimes seems like internment cycles of grave risks and declining economic opportunities. While the AFN report gives broad suggestions of new policies and government priorities, we in the training and employment field offer these recommendations to (1) improve on that Congress intent for jobs training for Native people, and (2) to promote another congressional intent—self-determination by Native people to work jointly for the betterment of Native people and, ultimately, the country. After all, the JTPA's principal purpose states that Indian and Native American programs "shall be administered in such a manner as to maximize the Federal commitment to support growth and development as determined by representatives of the Indian and Native American communities and groups served by this section."

Thank you for the opportunity to testify before you in regards to this. Once again, thank you very much for coming to Alaska to hold public hearings.

[Prepared statement of Mr. Vaska appears in the appendix.]

The CHAIRMAN. May I suggest and request that you prepare a memo for me in greater detail on the JTPA program as it relates to Alaska Natives? I will share this with Senator Simon and the members of his committee.

Mr. VASKA. Thank you. I will do that.

Senator MURKOWSKI. Tony, in your statement about extending it to year-round, what areas are you looking at specifically? Obviously, we have a seasonal consideration.

Mr. **Vaska**. Currently we have a couple of programs that both the State and the Native organizations run for youth in occupational classes—I think it's called vocational education now—where they work within their communities. There is a classic example at St. Mary's where the students work in the communities and businesses and organizations. The community was very responsive to that. That's a year-round program, not necessarily limited to the summer.

Senator **Murkowski**. You've got a very good record of job placements and I'm very interested, Mr. Chairman, in following up on the specific concerns which Tony's identified.

The **Chairman**. I thank you very much, sir.

Before calling up the members of the second panel, may I invite those of you who wish to sit to come forward? The jury box is open, so if you prefer sitting to standing, there are a few seats there available.

The second panel consists of the following: Mr. Caleb Pungowiyi, President of the Kawerak Village of Nome; Mr. Willie Hensley, President of NANA Corporation of Kotzebue; Ms. Beverly Hugo, Health Educator of Barrow; Mr. Barry Gold, Northern Lights Recovery Center of Nome; and Mr. Alan Larson, Tribal Chairman of Chickaloon.

STATEMENT OF CALEB PUNGOWIYI, PRESIDENT, KAWERAK INC., NOME, AK

Mr. **Pungowiyi**. Good morning. My name is Caleb Pungowiyi. I am President of Kawerak Incorporated, a non-profit corporation serving the villages of the Bering Straits Region. I would like to thank the members of the committee and the Chairman for this opportunity to testify in the AFN report "A Call for Action."

I agree with a number of individuals who have testified previously that the report, if anything, understates the problem existing in rural Alaska. The majority of us agree that alcohol abuse is the major problem facing our villages. It is symptom of a problem that goes deeper than just the abuse itself. In order to address the problem, we need to attack it on two fronts: (1) we need to work with individuals, families, and communities to alleviate substance abuse problems, and (2) we need to look at preventive programs that will prevent abuses from occurring.

I urge this committee to use its influence to make available programs to directly fund communities to address alcohol and substance abuse. Funding ideally should go to the communities. Village residents tend to view alcohol and substance abuse as resulting from social factors rather than clinical factors. The solutions they propose are likely to be social in nature. It is the communities themselves and not outside providers that know how best to resolve its social problems and what can be most effective in combatting the serious problems that currently exist.

The key to preventing substance abuse is a positive sense of self-worth. We feel that this can be provided through educational curriculum within the school districts. Such programs as "Native Awareness," which stress cultural pride, cultural heritage, language, and alcohol prevention abuse, should be incorporated into basic curriculums in the school districts. Currently it is being treated as a special program outside the scope of basic education.

For too many years Alaska Natives have been told that we're not good enough. Our history, our culture, our language, our subsistence skills are not good enough to be incorporated into the western school system. Our traditional beliefs have all but been wiped out by religious groups intent on substituting their own beliefs for our own. It is human nature that if you've been told enough that you're not good enough, you're going to start believing that. I certainly think that many of our young people have fallen prey to this stereotyping. This is a two-fold problem. First, many of our Native people have begun to believe it; and second, it is a problem because the western society is rarely willing to incorporate anything Alaska Natives in origin into the western society.

Our board recently passed a resolution that requests school districts to hire more Alaska Native teachers. We feel that this action can promote some of that self-worth that our Native students need in the schools.

I'll skip the sections on economic development and jobs because some of those will be covered by other testimony. But we would like to ask that we be given an opportunity to add information or recommendations in the future. Also, I will skip the section on the BIA because that has been addressed many times and we've probably beaten the poor horse to death. [Laughter.]

I would agree with Mitch that there is need for Federal legislation to naming the tribes in Alaska. I would urge this committee to support the tribal government status of our IRA and traditional councils. The councils provide Alaska Natives with an avenue for true local control—a tool to assert control over their lives, their communities, and their destinies. The importance of tribal government issues as they relate to the social and economic problems cannot and should not be overlooked. The communities have not only an inherent right to govern themselves, they have an inherent need to do so. By allowing our communities to exercise local control, they can alleviate some of the real needs and concerns. Congress should take a more active role in this area if efforts made and dollars spent are going to have any real and lasting benefit.

In closing, I would like to thank the committee for this opportunity to testify. I hope that some day many of the problems that face our Alaska Natives will be lessened and we won't need to have so many hearings concerning our problems.

Thank you.

[Prepared statement of Mr. Pungowiyi appears in the appendix.]

The Chairman. The problems that all of you face here in Alaska, to say the least, are mind-boggling. I oftentimes have difficulty convincing my colleagues of the severity of it, but I will do my best.

Senator Murkowski.

Senator Murkowski. I noted in your testimony your concern with regard to U.S. Fish and Wildlife restriction on sea otter pelts. There is reason to believe that we may expect some alteration in the regulations to allow the conventional use of the remnants associated with subsistence use of the marine mammal for Native crafts so that they could be sold. I think your testimony correctly points out that this is an inconsistency currently as a consequence of the tremendous growth of the marine mammal population. We will certainly continue to work in that regard.

Mr. PUNGOWIYI. Our testimony goes beyond that in that we would like to see rather than just for traditional arts and crafts, that we'd be allowed to use it for other commercial purposes that would economically benefit the communities.

Senator MURKOWSKI. I think you could expect some progress in that area.

Thank you, Mr. Chairman.

The CHAIRMAN. Our next witness spent much time with me during my first committee visit to this State. He accompanied me to the villages in the Arctic Circle and introduced me to village life. I am happy to say that as a result of his guidance, we passed some legislation which I hope will be helpful to Alaska Natives. It gives me great pleasure to introduce Senator Willie Hensley.

STATEMENT OF WILLIE HENSLEY, PRESIDENT, NANA CORP., KOTZEBUE, AK

Senator HENSLEY. Thank you Senator Inouye, Senator Murkowski. My name is Willie Hensley and I am President of NANA Regional Corporation. I do remember your visit to the villages. The thing that struck me about that visit was that it was over the Labor Day Weekend, a long weekend at that, and instead of going to Hawaii, you came to Alaska to visit our villages. I appreciated that.

The CHAIRMAN. My Hawaiians are getting quite disturbed. I spend more time in Indian country than with Hawaiians.

Senator HENSLEY. I was going to appear here with others, Mr. Chairman. President Marie Green, of Maniilag, was to be here and Chuck Green, who is the Mayor, was also going to be here with me, but their plane isn't coming in until later on this afternoon. We thank you for returning to Alaska to hear us. I would like to have my testimony submitted for the record, if that's okay.

The CHAIRMAN. It will be made part of the record.

Senator HENSLEY. Also, Mr. Chairman, I was going to bring you some photographs. I don't know what you do with photographs, but in order to emphasize——

The CHAIRMAN. If they make me look good I publish them. [Laughter.]

Senator HENSLEY. Well, Mr. Chairman, these happen to be with regard to our water and sewer problems. [Laughter.]

The CHAIRMAN. I will look them over.

Senator HENSLEY. Mr. Chairman, this past winter was very difficult, it was very long, very cold, we had more snow than we've seen in many years. Also, the temperatures were down into the minus 50's, 60's, and 70's. For weeks transportation came to a halt for many of our villages. We were reminded of the power of nature and the frailty of modern mechanical equipment—electrical generators were ceasing to function, heating oil was gelling, and communications systems failed. Clinics froze up and medicine had to be carried to other warm locations. Where we had them, school and village water and sewer pipes froze. I mention all this, Mr. Chairman, because our villagers are very vulnerable at a time when the

State's resources are beginning to decline as well as the ability of our villages to secure the funding necessary to keep public services functioning.

Mr. Chairman, I will mention some of the issues that concern our region in the northwest part of Alaska. In spite of congressional amendments to Public Law 638, and reauthorization of the Indian Health Care Improvement Act, delays in implementation continue the frustrations that were to be addressed by those amendments. For instance, our ability to do recruitment and retention of critically needed medical personnel is being hampered still. Also, the Community Health Aid Program continues to be inadequately funded. The sanitation and water problems are continuing to plague the villages. We have systems that simply weren't designed for the Arctic, where they have them, they cause problems to the homes because of backing up. Yet, they love those systems because they are more than what they had before, even though they don't function properly. So we need help in that area. Despite amendments to Public Law 638, we're continuing to have problems of self-determination and foot dragging in the administrative apparatus of the BIA.

In housing, Mr. Chairman, your own eyes have seen the terrible housing conditions of the villages. In our region, we had a survey done of seven of the villages and only 68 percent of the housing needs are being met, and 41 percent of those units are substandard by any standard. We cannot hope to improve the situation with the program of new construction and improvements now in place. The BIA plan to renovate existing substandard housing within 10 years will fall 30 years short at the current rate of performance, not to mention the continued annual deterioration that takes place.

I might add also, Mr. Chairman, that under the HUD 500 program in Alaska we had, people take title to their own homes because they simply had lost hope that the government would be in a position to improve those facilities. Later on, however, HUD did get some funds to the Housing Authorities to improve them. Those people who took their own homes had to give up any ability to accept federally-funded housing for 10 years. Yet, those housing units that they took were totally inadequate to begin with. It's a problem. I don't know if anybody is going to look at it. We had to spend weeks and weeks and months of letter writing just to get one family a waiver so that at some point in the future they can secure additional housing that might be publicly funded.

Realistic goals and innovative solutions must be found to deal with the housing crisis. Village people are spending too much money just trying to keep warm in their inadequate homes.

Mr. Chairman, in the area of social services and in public assistance, the NANA region has 680 active cases with the State's Public Assistance Office. Yet there is no participation on the local or regional level to meet the needs of our people in the numerous rules and regulations, both State and Federal, and with their obscure interpretations and Wootem cultural biases.

Maniilag, our non-profit, provides in-take services but it is prohibited to provide eligibility determination by vague Federal regulations. Surely a hungry applicant shouldn't have to wait weeks for a decision from an office 600 miles away.

Mr. Chairman, I listened to Caleb Pungowiyi comments about the educational system and the necessity of trying to provide some self-confidence on the part of our own people. Having lived through decades of an educational system that is virtually blind to our cultural identity, our history, our sense of continuity, our sense of values, we are very frustrated. Even though we might have local control, it is very hard to change an educational institution because most of the people who are running our systems are not Native people. It is not their culture, and it is very hard to make room for our own cultural identity, our language, our traditions, and our values in the present system. Unfortunately, the self-determination which we thought we got through the establishment of the rural education attendance areas simply hasn't worked very well. Ultimately the village has very little to say about what really goes on in their own school. That's hardly your problem, but in a sense it is in that the BIA basically did kind of steal away from the State. I think it was a travesty because it takes a lot more effort, energy, and money to try to educate people in the villages and somehow I think there ought to be a way for BIA funding to reenter the scene because we are going to be facing some real problems in the future. We're facing them now and as our revenues begin to decline, we've got to try to think of new ways to educate our children, both in the western sense as well as in the traditional sense.

That is the extent of my testimony, Mr. Chairman. As I said earlier, I would like to submit my written testimony later for the record.

The CHAIRMAN. Senator, I can assure you that for many of us in the Congress the words that represent identity, self-esteem, and self-pride and culture are very important. Without those important concepts, I suppose all ethnic groups would disappear. If we are of the belief, as I am, that perpetuation of Alaskan Native culture is in our best interest, then we should be concerned with self-esteem, pride, identity, and culture.

I thank you very much, Senator.

Senator Murkowski, did you want to say anything?

Senator MURKOWSKI. Senator, your last comment regarding the BIA somehow coming, re-entering the village education effort, how do you suggest that be done when it's being pulled the other way as a consequence of the State's role?

Senator HENSLEY. I am not suggesting that the physical presence of the BIA be expanded necessarily, I'm saying that we want the money. [Laughter.]

Senator MURKOWSKI. Well, you know what goes with the money, Willie—the strength, unfortunately. But the presence of the State in the role of education is, I assume, still far more acceptable than the previous arrangement?

Senator HENSLEY. It's hard to say. The BIA had lots of faults, that's for sure, but I'm not so sure that they didn't do as adequate a job as we're doing now. I mean, when you look back to our elders who went to school at the turn of the century, they were able to learn. The policies and the practices of BIA I would not commend necessarily in a lot of ways because it was really kind of a destruction ground for cultures, but yet somehow they were able to teach people who were just virtually coming out of the Stone Age in terms of their material abilities. I just travelled to about 10 of our villages on what we call our "Spirit Program" and we see the inadequacies of the present system in teaching and also in the teaching of values, as well as in the teaching of language—both english and eskimo. But the elders did learn. They learned a foreign language, they learned to communicate, and they learned to write. We're having a very difficult time doing that today even with all the technology and new equipment that we have. We need to look at the system a lot harder.

Senator **Murkowski**. You were a product yourself of the previous BIA system for your primary education and you were in a position to observe the transition that has occurred. It is very difficult for us to speak of self-initiation of a curriculum that is uniform throughout the State yet suited for village life. I assume that is a good deal of the frustration.

Senator **Hensley**. I think one of the gentlemen earlier reflected on some of the difficulties of our present system. Yes, it is hard but I think it has to be addressed by everybody and we need to come up with some new ways of doing things. It is a local problem in the sense that we do have resources, but they are not reaching those areas which we need those resources to reach. I don't know if it has to be addressed area by area, but I can see how from the Federal level it is hard to do. From what we can see, a little bit of money can go a long way if the village people have some say about how it is put to use.

Senator **Murkowski**. Mr. Chairman, I have two other rather brief questions but one of them may require an extended answer.

Obviously the delegation, as well as Senator Inouye and the professional staff, are very aware of the frustrations within Alaska as a consequence of the ANCSA legislation, the formation of the regional corporation and you, as President of NANA, share this frustration. The village expression is one of concern over not having adequate resources. We've heard testimony today from some of the witnesses concerning such issues as the naming and distinction of the tribes, per se. One can wonder whether there is a willingness of those that are tribal advocates to suggest that they be willing to give up their individual corporate stock for a new type of entity. My constituents continually express frustration, which your constituents do too. I wonder if you could just generalize for a moment on this dilemma as you see it. Do you see it as Alaskans in transition, the realization of the complexities for corporation, or is the frustration growing in the sense of the sensitivity of the tribal status? Where do we go from here? I know it's a dilemma for the AFN and it is certainly a dilemma for us to be responsive towards.

Senator **Hensley**. You're right. We could go on all day on this subject. I would say in the early stages of our effort to try to secure the land, what we really wanted was control over our living space. We really didn't have any ideas in mind as to any kind of administrative apparatus in those early days. We just knew that the American Indian people lost most of a subcontinent and that we were well on our way to doing that here if we didn't do something. In the early stages all we wanted to do was to be able to sort of be in control of that space that we lived in and not worry too much about the rest of the world moving in on us and sort of develop at our own pace. Of course, that was not to be. I've always thought we did the best we could under the circumstances because we were concerned that if we did not get a settlement that at some point in time we might lose every leverage that we had. If, for instance, President Nixon was able to establish the right-of-way to the pipeline, then we would not have had any leverage at all. On top of that, the political circumstances were that there were a couple of committee chairmen who were convinced that there was no way in the world that they were going to reconstruct the tribal system of the past. There was just no way we were going to run over them, so we worked with the political circumstances that existed. In addition to that, of course, we didn't have any money to stay in court if we wanted to try to ball up the system for one-half century. We could not foresee the future. Most of us didn't have any experience with tribal governments. Our fathers and mothers may have had but we were too young. We were off in school somewhere. Consequently, there was nowhere during that period of time at which we were pushing for the settlement where the idea of reconstructing the reservation system or even the tribal government system arose. Among all of the advocates, I can't remember one who advocated reconstruction of that system until after the Act was passed.

For our purposes we know that the system is totally inadequate insofar as being able to meld within the structures of the Inupiat world. But one idea we tried, for instance, was a merger with our villages. We knew that the system was going to fail for our villages just because of the way it came out—so we had a merger of 10 villages and we tried to create, in effect, a tribal entity within the corporate system. We have a directorship of 23 people where the villages are in total control. We only have one person representing Kotzebue, even though out of a membership of about 5,000 Kotzebue has about half the shareholders. We weighted the Board of Directors in favor of village control and it has been that way even when we were non-profit back in the 1960's. We recognized that we had to make it work and we've tried not to have the corporation function in an alien fashion even though the rules are not exactly traditional. We have accepted the responsibility of trying to make it work. We did give our IRA councils in the villages the veto power over development on any lands which the Village Corporation had such veto power as a result of the Settlement Act.

We work very closely, even though there is a confusion of entities, we try to work very closely between Maniilag, NANA, our borough, and with our village entities. It would be simple if we had an entity that would handle all these troubles. The problems wouldn't go away, they'd still be there, but it would be a lot less confusing. I can't tell you at this moment what kind of an outline of a recommendation I would make for simplifying it. But there's no question that the traditional councils or the tribal council, whatever you want to call them, which had real authority and power to regulate life in the villages in the old days, nowadays we don't have that kind of authority except in some instances where people still respect the authority of the council. But there has been such a profusion of entities that people don't know whom to respect.

Senator MURKOWSKI. Last, you made a very conscious effort in your corporation to foster the identity and culture through retreat type efforts, association with the elders so that they could communicate more readily in an appropriate environment. Has that been relatively successful? It is so important to maintain that culture and identity.

Senator HENSLEY. The difficulty is that most of our institutions have been supplanted in one way or another or weakened over the course of time. The benefit of tribal structures is that a tribal government is an entity that has responsibility over all aspects of life. The difficulty we have is that there is no focal point for the preservation of the Indian or Aleut spirit, language, tradition, values, culture, history, geography—all of that which is meaningful to our people. It has just been blasted away over the course of time. What we've tried to do is without saying who is responsible we've assumed that responsibility in our corporation. We fund the elders to help us in the preservation of the language and traditions and the knowledge of survival skills, but we also work in conjunction with Maniilag and the borough. So, we've all accepted the responsibility.

We just travelled for the second time—we did it in the early 1980's—but for the second time we've travelled to meet with all the children, K-12. Usually we break it at the fifth grade, and we meet with them and we have elders, heads of our local institutions—the borough, NANA, Maniilag—and the essence of it is to try to convey to children as well as their parents and grandparents the idea that it is their obligation and responsibility to help preserve their own identity and then it is our job to try to convince the institutions that it is also their job. In spite of the fact that we don't have a single governmental location or focal point, we all assume the responsibility of trying to ensure the survival of the identity and the culture, the language and the history and the way of life. We don't put down the necessity of learning western education because we know that we need that, but we don't feel like we have to sacrifice ourselves in order to do that. That is our goal. It is just that it is very hard because it takes almost all of your energies just in the economic and political arena to try to take care of your peoples' needs and there is hardly enough energy to go around.

Senator MURKOWSKI. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you again Senator Hensley. It is good to see you.

Our next witness is Beverly Hugo.

STATEMENT OF BEVERLY HUGO, HEALTH EDUCATOR, BARROW, AK

Mrs. HUGO. Good afternoon Senator Inouye and Senator Murkowski. My name is Beverly Hugo and I am here as a concerned wife and mother and health care provider. I am also a health education specialist in our school district in Barrow, Alaska.

What I would try to convey is what future does my son, John, have? He was born of Inupiat Eskimo descent March 7th in Fairbanks Memorial Hospital to my husband, Patrick, and I. He's the youngest of four children. He's two months old. The more I learn about things that are affecting us now and how we may be affected in the future, the more concerned I become, not only for our children but for all children.

This concern for all is where our Inupiat responsibility comes in. I, as an Inupiat, have a responsibility for my tribe. What role do we as Inupiat parents have in decision-making that affects our children's lives in the areas of education, health, economics, and the environment. The management or direction taken in these areas impacts directly on us as individuals and as a society.

As a wife and a mother and a health care provider, my frustrations and concerns for the well-being of my son, John, and all indigenous children is equalled only by myself-determination to be involved to whatever extent possible in the decision-making that affects us presently and in the future.

I have a lot of questions. Where should we be now or need to be in the future in education? In education, we seem to be doing well in the elementary education, but we're losing in the high school and the middle school. Long ago it was a landmark for a child to turn five years old—a landmark—but presently the landmark is becoming a young adult or an adolescent because we are losing our young people to alcohol and substance drug abuse and domestic violence because they have no self-worth or they don't feel they are worthy. I don't know all the answers, but I would like to stress some of my concerns.

We need to encourage higher education. At this level the North Slope has a real poor track record of successfully completing any higher educational program. In order for us to get ahead, I think we need our own people to become professionals and to run the management.

My specialty is in health and I speak for health careers. We seem to have too little. I am one of a kind from the North Slope. There are others who are trying to follow the model that I have tread. We have some students at the University of Washington that were community health aides, like I was for many years. They are becoming mid-level health care professionals, physicians assistants. We need that, we need our own people to be providers in their own setting, in their own environment. There are no language barriers, we speak the same language as our people, and I think that's important. Native health care providers tend to go back where they came from. They have a responsibility for their tribe so they want to provide good care for their people. This is where we need to spend our money. There has been a bridge program to the University of Alaska in Fairbanks last summer which enhances community health aides to have access. I really supported that. It was through seed money but apparently someone felt that it was not that important, so there is no money for that program this year. But we're trying other avenues through the Health Careers Opportunity Program and we have had a proposal to the University of Alaska at Fairbanks for a three-year grant that we've proposed. I've worked closely with Dr. Nice and his wife trying to implement that. When you are bi-cultural, bi-lingual you have to decode lots of things and you have two identities and it is frustrating. I think that's where we lack success. We become discouraged or we feel like we don't have the urban adaptations that we also need to succeed. The bridge program was like an enhancement to introduce you so there wouldn't be such a cultural shock. Those are the types of things that I would encourage you to support. We have plans for 15 students in the 3 years from the high schools of Alaska to promote access as physicians assistants, as ancillary care providers such as lab technicians and x-ray technicians. We need those types of people. There are other aspects of the health care system we need but in order to improve it we have to have our own people. We have too many turn overs from transplanted people who come to Alaska. They are not culturally sensitive, they don't like the environment, they are miserable people, and miserable people are not happy and they start to resent the situation. We don't need that. I really think that most of them tend to be that way—they come and they go. We have this health care system that just suffers. It is not adequate. It could be a good health care system if we had our own people determine and practice and provide the care that is needed.

As for health, my son, John, had a good beginning because of my background as a health care provider. I value good prenatal care. Through the prenatal care, I had to have specialized care, obstetrical care that wasn't available in my community, but I felt it so important to have a healthy outcome that I take my time, my family sacrificed time and effort and money to buy an expensive ticket from Barrow to Fairbanks—$500 round trip—and I did that three times throughout my pregnancy just to monitor and make sure I will have a good outcome because prenatal care is so important. These specialized services are not available in Barrow. We have many general practice physicians that deliver babies and over 100 babies are delivered each year, but I have had difficulty with my other pregnancies so I couldn't deliver there, it was too risky.

In my efforts to be a role model, how can I possible reach beyond acute care services to model a preventive health care, to use the knowledge I gained while earning my education as a physicians assistant. This continued dependency on a hospital based service encourages a belief of sickness rather than wellness. The current status continues as a daily crisis management. There isn't proper health planning with short or long-term goals that have been developed with participation of the indigenous people who would like to be involved. They would very much like to be involved but are kept out by paternalistic structure, because most of our administrators are not Native, they are from Tennessee, they are from Colorado, and they don't understand where we're coming from or what we're trying to convey to them.

So what are the future expectations for John and the other indigenous children? What assurance is there that Indian health service eligibility criteria will be maintained for John and the other children? Will they have access to care? John was born after ANSCA and although I have enrolled my other children in the Native village of Barrow, I don't have that assurance. I would like some answers, some assurance. What assurance can you give me?

Economics is an integral part that leads to development of a productive and an independent person. What is John's economic future? Presently there aren't enough jobs now for people who are unskilled and are uneducated. No education or jobs means Medicaid dependent or welfare dependent, which is no answer to becoming a self-sufficient individual. If there aren't enough jobs now and the peoples' self-worth decreases, domestic violence, alcohol and drug abuse, and suicide occurs. What economic opportunity will John have in 18 years from now? These are concerns that I have.

Consider the environmental concerns for my son and the other children. Currently an indigenous man is serving a jail sentence imposed upon him for exercising his aboriginal rights in trying to provide sustenance for his family according to the values of our Inupiat culture. These recognized values are respect for nature, domestic skills, sharing and cooperation, hard work, family roles, and responsibility to the tribe and respect for the elderly. How can these values be wrong? They are in essence our spiritual survival and our well-being in a harmonious environment. When this harmony is disrupted by paternalistic outside forces, this threatens to destroy the very heart of our existence. How can my son, John, grow up to be a successful hunter and a provider so that his life expresses the values of his culture?

In closing, trying to find right words to express our concerns without appearing racial, biased, malicious, or jealous is very frustrating. This is my life as an Inupiat—responsible to all other Inupiat for the survival of our culture spirit, our values, and our traditions. I retain and teach and live the Inupiat way. What can I as an individual do to make these things better? Is it necessary that the Inupiat values be less than the western values?

Like I said before, the landmark years ago was to become 5 years old. Now, it is the landmark to survive through adolescence. The time of suicide, alcohol, and drug abuse is rampant. We seem to be overwhelmed. The answers lie within us as parents and members of our community. When young people have needs that reach beyond the family unit, what do we as a community have to offer? What is the responsibility of the community to the youth? How do you as a person contribute to your community?

This presentation is not statistically focused. We know all too well that statistics are numbers with tears removed. But for those of us who experience the lifestyle as it is today, statistics represent tears spent because of the numbers of people we know who have suffered. What are my expectations? What direction will the future take?

It is my intention with this time spent with the Members of the Senate Select Committee on Indian Affairs to convey the frustrations and fears felt on the personal level so that there is an understanding of how it is with us. It is an effort to convey these things because it means I take the risk for revealing myself and my feelings to you from a personal and professional perspective. Wording has been thoughtfully selected to avoid the appearance of racial biases and prejudice. It is not my intent to harm others because I know too well how it feels to try to work and live in such an atmosphere. I've accepted the personal and professional risks of making myself vulnerable and open to you today so you may realize how many years it has taken me to be able to face you today and let these things be heard. Along with the risks, I openly accept a responsibility to communicate with others who are actively involved in decision-making affecting the self-determination of each of us. To those who remain passive and have not come to the point of verbalizing the concerns I have just expressed, let us remember them, too, as we work to develop leadership. There is a difference between arriving to the point of expressing concerns in ways which others understand, yet mistakenly have assumed no one cares about them because it is not culturally expressed in the same way. How can anyone be so far gone to not care about themselves or others when a harmonious environment has been vital for centuries in our very existence?

We have proved this structure to be effective. When we are confronted by outside people who do not share our value system, we are thrown into conflict not only with the other entity but also with one another and within ourselves because that's one of the cultural values in our Inupiat heritage—avoiding conflict. We are a strong, caring people. We do survive but it is taking its toll. So, where are the answers to how to make things better for John and the other children who can no longer continue? We are losing our young people and the children are the future. We have always accepted our responsibility for ourselves and others. We have survived for thousands of years and intend to continue to do so. Why should we relinquish our control of our destiny to others?

Thank you.

[Prepared statement of Mrs. Hugo appears in the appendix.]

The CHAIRMAN. For the committee I thank you, Mrs. Hugo. You have been a most articulate, eloquent, and powerful voice for the thousands of Native Alaskan mothers who are not here with us this day. We do not have all the answers. If we did, we would not be here. We come here to seek these answers. We have no way of guaranteeing whether John's life will be a better one than the ones today, but we will do our best to assist all of you in providing that better life for John and the other children.

Mrs. Hugo, I believe you were with us nine months ago. At that time, you testified in behalf of the Community Health Aide Program. I am glad that John is with you. I believe John was with us at that time also.

The record will show that you are accompanied this day by John Hugo when you gave your testimony.

We can give you one promise: We will do our best. We know that the answers are here and in the villages. We seek them out.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. I think you certainly covered very eloquently the testimony given by Mrs. Hugo. It reminds us of the responsibility we have to be sensitive to the world that John will be growing up in. I would like to indicate the uniqueness of the world that is rapidly evolving, whether it be the cares of the nuclear holocaust or war, or be it chemical or biological, or be it drugs or alcohol are risks that all people must share and all people must work to overcome.

I think the testimony we've heard was most relative to our collective responsibility to those to whom we leave this world. I commend the witness.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Our next witness is Mr. Barry Gold of the Northern Lights Recovery Center of Nome.

STATEMENT OF BARRY GOLD, NORTHERN LIGHTS RECOVERY CENTER, NOME, AK

Mr. GOLD. Mr. Chairman, Senator Murkowski, my name is Barry Gold. I am the clinical director of Northern Lights Recovery Center.

I am here today to address the area of substance abuse and how we perceive the problem out in our area. I am also here representing Norton Sound Health Corporation, which administers our program.

Our philosophy of treatment encompasses a 12-step oriented Hazelton therapeutic modality as well as incorporating culturally traditional methods of healing and growth.

Alcohol and other drug abuse is the number one health problem in Alaska. Accidents are the number one cause of Native mortality—three times the National average. A significant portion of Native accidental deaths result from alcohol-related violence, as reported in the AFN report to the Legislature. Yet, for the past several years there has been a continuous and significant decline in State funding for alcohol and drug abuse programs.

Staff positions have been cut as a result of the decline in State funding. This creates a situation where the remaining staff are continuously trying to provide the previous levels of service, which, in turn, leads to a high rate of staff burn-out and staff turn-over.

Northern Lights intermediate component is operating under approximately 80 to 90 percent capacity at the present time. At present funding levels, this only allows us one counsellor for a 12-bed facility. This means the out-patient and our after care counsellors have to pick up some of the intermediate clients in addition to their own full caseloads. If money in fiscal year 1990 are not restored to pre-1986 levels, this program will have no other option other than to cut services.

The administration of the program is similarly affected in trying to maintain services with steadily declining budgets and overworked staff. As a result, there has been an extremely high administrative turnover which profoundly impacts the program. The continuity of the program is always in a state of flux. With many combined years of providing substance abuse services in rural Alaska, the staff and the administration of Northern Lights Recovery Center is in agreement that in addition to the standard 12-step and Hazelton treatment approaches, there is a need to provide culturally specific methods of breaking the cycle of alcoholism and drug abuse in Alaska. Of those utilizing the services of our Recovery Center, 97 percent are Native. We are seeing a younger population every year with a steady increase of poly drug abusers. Typically, a young Native male or female that is diagnosed as suffering from middle to late states of alcoholism also has a history of marijuana, cocaine use and/or abuse.

The program actively seeks participation and discussion from elders and other Native community members. With their input and direction, the program is now involved in a community effort to establish a spirit camp in the Bering Straits region. A Native corporation has donated a parcel of land for that use. There is a ground swell of community participation and donations for the spirit camp or fish camp idea.

A substance abuse program has to be responsive to the needs of those it serves. People of various cultures have different ways of seeing themselves in relation to other people and their physical environment. One of the many cultural differences impacting delivery of substance abuse services in our area is the traditional Native orientation towards experiencing themselves as members of the extended family or community. Their interaction and their role in the extended family is basic as to how they experience themselves as people. A culturally specific program would promote through traditional Native methods an awareness on the clients part as to how chemical usage has damaged or destroyed their relationship with their extended family and community. Through abstinence and a supportive program for recovery, they can heal themselves and again become a functioning member of the extended family.

Community involvement and participation is essential to the recovery process. The current method of providing mental health and substance abuse services to the villages in rural Alaska is not working. This is well documented in the "Healing for All" final report by the Alaska Native Health Board.

Native people have become very leery of the typical white professional that visits their village, all too infrequently, and proposes to show them how they can stop alcoholism with methods derived from the dominant culture. It is a set-up for failure for both village people and the counsellor. A strong emphasis needs to be placed on developing village ownership of the alcoholism problems and village involvement in the therapeutic solutions. Most of the community development successes in rural Alaska have as a major component a return to traditional methods of healing. This is not to say that AA, 12-step oriented treatment methodologies do not have a place in rural Alaska. Many villages have great success with the 12-step program. Yet, the AA groups that seem to flourish are those that are started by village residents themselves and have been modified to reflect the culture in which they are taking place.

The Alaska Native village alcohol and other drug abuse survey found that 72 percent of the people who responded said their villages are not getting enough help as far as alcohol and other drug abuse is concerned. A large number—87 percent of the respondents—said they would like to see more programs available in their villages.

There are 15 villages in addition to the city of Nome in the Northern Lights Recovery-Catchman area. We try to provide a full range of services to the residents of these villages. We have a village representative program run by our village coordinator. Nine village representatives have been hired to date. The selection, the hiring, the job description of the village representatives involved the village coordinator, the village council members, and the school principal. The village representatives then provide on a part-time basis education prevention outreach and referral services for the villages.

A top concern identified in Alaska Native village alcohol and other drug abuse survey is the need for community involvement of ownership of services and the need for village-based programs. The

Northern Lights Recovery Center fully supports efforts toward providing training and support to expand its community development model to all regions.

There is an enormous need for funds to train these para-professional counsellors. In a dysfunctional community due to chemical abuse and its related problems, these para-professional Native counsellors are often misunderstood, isolated, and are a prime target for burn-out, resignation, or worse. The counsellor needs to be consistently reinforced and trained in counselling techniques. Funding levels are such that this kind of training rarely takes place. Training funds for all staff of Northern Lights Recovery Center, but most importantly the Native staff, are totally inadequate.

Training and continuing education funds are usually the first to go in times of budget cuts. More emphasis and funds need to be allocated toward the training, certification, and continuing education of the local Native people.

We at Northern Lights Recovery Center believe that it is becoming steadily more unrealistic to continue to address only the issues of chemical use and abuse. According to the AFN report on the status of Alaska Natives, changes in rural villages have been so rapid and so profound during the past few decades that many Native people have been personally overwhelmed by a world of conflicting values. The AFN report cites in 1950 six Native suicides were reported. In 1985, suicide was the fourth most common cause of Native mortality. The current Native suicide rate is four times the National average for women 20 to 24 years old, and fourteen times for men 20 to 24 years old. Rates are not predicted to diminish. Of these suicides, 75 percent are alcohol related.

A cyanogenic approach involving alcoholism, mental health, and government professionals working cooperatively with Native leaders and Native councils will ultimately start to reverse some of these dismal statistics. Our philosophy here is that alcoholism is a disease yet it is becoming increasingly evident that in rural Alaska other mental health and social problems contribute heavily to the development of alcoholism for most Alaska Natives.

Long-term solutions to alcohol and other drug abuse will only come if education and prevention efforts receive priority attention and funding. The Northern Lights Recovery Center Village Program has only one full-time prevention position and this position is responsible for all 15 villages. Nome has been without a single substance abuse prevention education position until two months ago when a half-time position was created. This is insufficient funding for a component that has the potential to ultimately turn the tide on alcoholism and other drug abuse.

The most common concern cited by rural providers and program staff in Alaska Native Health Board survey was youth specific services. The facilities and programs for youth in the Bering Straits region are almost non-existent. Our prevention coordinator holds a weekly youth group in Nome outside of his regular job duties in the villages. If not for that group, there would be no substance abuse services for the youth of Nome. Adolescence substance abuse services for the youth of Bering Straits region has to be a number one funding priority.

Another area that needs increased attention is the prevention of fetal alcohol syndrome. According to the AFN report to the legislature, FAS is the leading cause of Native birth defects and Native retardation. The Native FAS rate is more than twice the National average. Due to funding constraints, our Recovery Center has been unable to provide adequate FAS education in the villages in Nome. Current prevention staff are spread much too thin. Therefore, issues being addressed have to be prioritized and the whole target population such as pregnant and post-partum women are neglected. Again, staff feel, and rightly so, that FAS has to be addressed so they take on prevention activities as well as a full case load and, more often than not, are burned out trying to accomplish too much.

Another priority for us is the incorporation of family treatment. Involving the whole family in treatment results in rapid and long lasting recovery. The whole family, not just the abuser, recovers. A supportive family environment is a foundation upon which a quality long-lasting recovery can occur. Due to budget constraints, our Center is lacking a family counsellor position. Currently, treatment any administrative staff are attempting to provide family counselling to the residents in our Catchman area. Again, staff is spread too thin. Yet, family counselling is vital to the overall recovery process and cannot be ignored.

Our Recovery Center is moving toward a more holistic, culturally specific, Native operated treatment program. We support and encourage the community development process. The villages in our area have to participate in the ownership of the recovery process for a lasting healthful change to take place. We are attempting to assess and resolve into related health and social conflicts in conjunction with substance abuse treatment issues. This demands a higher degree of cooperation among health and social service providers in our Catchman area. Education prevention efforts in our region are severely underfunded, with PTE services and FAS prevention heading the list of needs. Family involvement in the therapeutic process is also essential for the clients of the Recovery Center program but current funding levels will not allow a family therapist for the program.

Numerous needs assessments in to our rural Alaska indicate that alcoholism is our number one health and social problem facing Alaska's people today. The time is now for a concerted, well-funded effort aimed at eradicating the costly consequences of substance abuse in rural Alaska.

In summary, if the funding levels are not restored to the pre-1986 level of funding, programs will have to continue to eliminate staff and treatment services until eventually programs will have to close down rather than have them to compromise their programs. I strongly recommend that funding levels are considered on the basis of the seriousness of the need of the area. I also recognize that pouring money into the substance abuse field is not the answer to the problem. However, programs have to be adequately funded to provide the basic services until a better answer is found.

Thank you.

The CHAIRMAN. I gather that alcohol consumption and the ingestion of narcotic elements has been an important part of the culture and religious practices and rituals of all major civilizations and many lesser ones. Wine was developed thousands of years ago and in every civilization there are accounts of taverns and pubs and bars, but that was not so with the Native Alaskan culture, from what I can gather. The consumption of alcohol was not part of the daily life, nor was it part of the religion. The fact that today the incidents of alcoholism being so high—four or five times the National norm—and suicide among 20 to 24 year old males being 14 times the National norm should indicate that the solutions are not going to be easy to come. It is not like treating an alcoholic in Italy or an alcoholic in Germany. I realize that and that is why I have been spending much time in Indian country, trying to seek solutions to this. I am slowly coming to the conclusion that the solution may lie in the direct involvement of the Natives themselves and the village leadership or the village council, because I think that is where the solution is. We can set up clinics and we can set up video tapes but they seem to have very little effect here. It may take more than economic recovery, it may take more than education. It is an illusive answer to this tragic problem but I can assure you that Members of the Indian Affairs Committee are doing their utmost in trying to resolve this matter.

Senator Murkowski.

Senator MURKOWSKI. I very briefly would ask you what your professional opinion is on the movement among many of the villages to go totally dry?

Mr. GOLD. I think it's an excellent idea. I can share some experience I had when I worked in Bethel with that. I was also the Program Director for the treatment center there. What was happening was that a lot of the villagers were winding up coming into Bethel itself to do a lot of the drinking. Bethel made a movement at that time to try to go totally dry as well and it was voted down. It seems to be having a good impact in a lot of the villages. We've also seen a lot of alcoholics anonymous type meetings being set up in the villages and starting to have good rates of attendance.

Senator MURKOWSKI. But this is self-determination. The villages themselves make that decision and the villages themselves are, in effect, taking appropriate action. It is strictly a matter of choice. Obviously, you have the concern over the bootlegging that is going to occur under those circumstances. But evidently it is relatively manageable?

Mr. GOLD. Yes; it is.

Senator MURKOWSKI. Unfortunately, you can't do that in every village and it is not an answer for every situation.

Mr. GOLD. No; I wouldn't see that as a complete answer. I would see that as maybe one step in the right direction. However, there are other things that need to be addressed.

Senator MURKOWSKI. Thank you.

The CHAIRMAN. Thank you very much.

Our next witness is Mr. Alan Larson, the Tribal Chairman of Chickaloon.

STATEMENT OF ALAN LARSON, TRIBAL CHAIRMAN, CHICKALOON

Chairman Larson. Honorable Senator Inouye, Committee Members, I welcome you to this country on behalf of Chickaloon Village.

The original laws that we enacted by Congress, who is empowered to deal with the Indians, were very marvelous in setting up the tribal type entities and giving us a Constitution on which to base our system. The only thing it didn't take into account was the traditional values that existed among our people. When the Alaska Native Land Claims Act was settled, it did not address the traditional values of the people and it has introduced a whole different split in the direction that the people of this country need to be going.

If you're going to make a committee to study the problems that exist, I would like to recommend that if you won't use any traditional leaders from here, at least follow their recommendations on the people and not the corporate people because the corporate point of view is completely alien to the traditional values.

Another concern I have is health care. My daughter from the time she was born had chronic ear problems. She was given a medicine called Actifed to treat the problem. She continued to have ear problems and when she was nine years old, I moved to Palmer and we went to a private physician there. He examined her and said "I'm going to give you a prescription for a brand new medicine, it's called Actifed." My wife said, "my daughter has been on that stuff for years." He said, "well, I really don't think so because it's a very new drug on the market." So, I know that in our going to the Native medical center we are involuntarily subjected to testing of new drugs. I think it is something that should be looked into and if it can be, it should be stopped.

The Chairman. Are you telling us that Native Alaskans are used a guinea pigs without their knowledge?

Chairman Larson. Yes, sir; that's what I'm saying.

The Chairman. Without their approval?

Chairman Larson. Yes, sir.

The Chairman. We will check this out.

Chairman Larson. Thank you. That's really all I had to say to you today. Thank you for allowing me this opportunity.

Senator Murkowski. Mr. Chairman, if there are any witnesses—other than the gentlemen or members of the audience—who have specific information relative to drugs and dates and prescriptions, obviously those can be checked out with the Indian Health Service, Public Health Service, and so forth. I think it's important that we not alarm unduly until we have facts because if we have facts, there is appropriate action that can be taken.

It is my conviction that most people within the medical field of public health are very dedicated people. I am almost positive, Mr. Chairman, that before drugs are released, they have to be evaluated for an extended period of time by the Federal authorities that regulate the release of drugs. If you generally look at our Nation, I think one would conclude that more often than not we are on the side of safety as opposed to a more liberal alternative that's available in Europe. Many people go to Europe, many people go to

Mexico for drug treatment with drugs that are not approved in the United States. But any evidence that's out there, we'd like to have it.

Thank you, Mr. Chairman.

The **Chairman**. I wish to underscore that statement just made by Senator Murkowski. I have worked with the Public Health authorities for many years and I have found them to be always law abiding and ethical in their practices and it is inconceivable to me that they would use Alaskan Natives without their permission, without their knowledge, as guinea pigs for the testing of drugs and other substances. I can assure you, however, that it will be looked into immediately. We have the strongest laws on drugs in the world, as Senator Murkowski has pointed out. In fact, the major criticism against the Federal Food and Drug Administration is that they take too long in certifying the public use of drugs because of our long testing periods. But since this was made at a public hearing, you can be assured we will look into it.

Before we call upon members of the next panel, as Chairman of this Committee, I would like to point out that we will stay in session without any break until we hear the last witness. Otherwise we will be going into the late evening and I have other activities in which I am to be involved. So, if you people are hungry, you better head off to the restaurants. I will be having my sandwich right here. If you can go out and get your sandwiches, that would be fine and you can join me for lunch.

Our next panel consists of Elizabeth LeBlanc of Calista Corporation of Anchorage; Mr. Matt Andrews, member of the Board of Directors of the Pneuma Corporation; Mr. Paul Gregory, Bethel Village Chief; and Mr. Richard Jordan, University of Alaska.

May I call upon Ms. Elizabeth LeBlanc.

STATEMENT OF ELIZABETH LeBLANC, PLANS DIRECTOR, LAND AND RESOURCES DEPARTMENT, CALISTA CORP., ANCHORAGE

Ms. **LeBlanc**. Good afternoon Senators Inouye and Murkowski. My name is Elizabeth LeBlanc and I am the Plans Director for the Land and Natural Resources Department at Calista Corporation.

In March of this year, we gave you a report called "The Calista Region—a Gentle People, a Harsh Life." This was a report on the social and economic conditions now facing the people living in the Calista region. We prepared this document to show just how severe the problems are out in our region, both in terms of the social problems and the economic conditions.

When you look at Alaska, we found that nowhere else in Alaska will you find the living conditions as harsh as they are out in the Calista region. The severity of the problems facing Alaska Native people is really apparent if you go out to our region. We happen to have 25 percent of Alaska's Native people living in this region and out of the 203 villages that were recognized under ANCSA, 56 of them are located in the Calista region. So this shows you the extensiveness of the size and the number of people that are living in a region that is plagued by extreme hardship, both economically and socially.

Earlier today when I first sat down in here I heard somebody say, "Why is a regional corporation here testifying?" I think all too often the regional corporations are perceived as being money hungry and having to do things that the corporate world and everybody wants us to do. I think there is another side to the corporations and that's apparent when you see somebody like Calista taking the time to prepare a report and submitting it to Congress to say look at our people, our people are having problems, we need help. We do have a heart and we do serve another function. We look at and try to address the needs of our people.

In recent months there has been a lot of concern about the problems facing Alaska Natives. I think we've hashed over all the problems and we're all familiar with the fact that Natives are having problems with alcohol and suicide and things like that. The thing that is not as apparent is how quickly some of these problems are escalating. In just the couple of months that I worked on this report, I've seen suicides out in my region involving family members of co-workers and people on our Board of Directors. We've seen murders in a village that was already besieged by numerous suicides by young adults in the last year and a half. It has become real apparent, very quickly, that problems aren't going away and they aren't getting better. We need to do something about it and that's the purpose of our presenting testimony today.

We feel that a lot of these problems are caused by one thing—there are no jobs in these communities and there is no economic development out in rural Alaska. Consequently, these people have nothing to look for in the future. It is hard to be hopeful about one's life when you look out your window and you see blowing snow, you have no water, you have no sewer, you're living in a house that is 20 years old and is falling apart, you haven't worked in many, many months. What do you do? You sit, you drink, you watch TV, you get bored, you get frustrated, and eventually a lot of the young men end up shooting themselves.

We think there is a way to take care of this and it would be for the State, the Federal Government, and the Native corporations, both profit and non-profit, to look at ways of promoting economic development out in rural Alaska. We think this can be done in several different ways. You can set up special loan programs and grant programs to encourage businesses and industries to come out to these areas. Congress could grant tax moratoriums to encourage industry to come into a rural area. You can provide special funding for activities which promote economic development, for example, giving money for mineral exploration and development, both on private land and government-owned land. We've seen some of these things work. NANA region has developed the Red Dog Line. The Arctic Slope has the oil industry up there. These are regions that, yes, they do have problems, but they are not as extreme as those in areas like the Calista region where there is nothing. The people are being trained to go into these new industries and to partake in the growth that's happening out there.

A lot of people may say that costs money. Well, sometimes you have to spend money to take care of a problem and by taking care of the problem, people will become self-sufficient and eventually the government can look to the future in terms of not having to provide general assistance and various kinds of subsidies for community development. If there were some sort of economy out there, the villages would suddenly see their property values increase, be able to set up tax bases, and look at ways of raising their own revenues to build towards the future.

If Congress, the State, and the Federal Government can't come up with the money for economic development, there is one other option available. In 1971 ANCSA was passed and the corporations were given the responsibility of becoming self-sufficient and providing for the social and economic needs of Alaska's Native people. Unfortunately, the Act did not necessarily give them the means to do it. We reviewed the Act and looked at various sections of it and have seen that there are ways to amend it to provide better means of implementing it and facilitating the various policies the Act was encouraged to promote. For example, section 22(f) could be amended to allow land exchanges. Right now this provision is real, real strict and by making a change that gives the various secretaries more latitude, village corporations and the regional corporations could exchange land that might not have value for land near their villages with better resource potential.

In our region we see something like this as being critical. We have a region made up of tundra, ponds and lakes, and villages own most of it. When you own water and marsh there's not a whole lot you can do in terms of economic development. So we look to these kinds of technical changes as a way to allow us to become more self-sufficient. In the next few months, AFN will be proposing several technical amendments to Congress. We would hope that Congress would take the time to look at those amendments carefully and consider them. If the amendments aren't passed or if there isn't something done to promote economic development out in the rural areas, I think we're going to see the problems grow. The only way you're going to get rid of the problems is to look at, not necessarily simple, but realistic ways of solving them. We feel that by promoting the regional economies and the village economies a lot of the things will start to take care of themselves. This kind of effort will take a very coordinated effort between the State, the Federal Government, the Native corporations, and the people themselves. The commission that AFN is recommending may be a first step in that coordinated effort. Therefore, we endorse the idea of the commission.

In essence, I'd like to say that if something isn't done, we're not going to see the corporations around 20 years from now and we may not see many of the Native people. If we are going to make it into the year 2000, we're going to have to give Alaska Natives and their corporations a way to survive and the means to survive.

Thank you.

The CHAIRMAN. I agree with you that the conditions faced by Alaskan Natives today can only be described as being urgent, critical, and catastrophic. Whenever we find ourselves faced with such tremendous problems, we should be willing to take steps to come forth with solutions that may be out of the ordinary. Twenty years ago Congress got quite concerned with the plight of the people in Puerto Rico and, as you know, Puerto Ricans are citizens of the United States, so they instituted laws to encourage businesses to establish themselves in Puerto Rico. They did so by doing away with all taxes, no corporate nor income taxes. Puerto Rico carried out a project called Operation Bootstrap and in 10 years the economy quadrupled. Something like that may be employed to entice businesses to establish themselves in the far off places in the villages. I don't know if the Congress will buy such drastic measures, but drastic problems require drastic measures. That is why I hope that this commission will be approved and they can look into what the alternative solutions are. I am certain that I speak for Senator Murkowski, we stand ready to do everything within the law to help the Alaskan Natives to get out of this terrible hell they are in now.

I thank you for your testimony.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

You spoke of economic development associated with utilization of your land and recognition of the land mass and the limited use for economic development. Specifically, what do you foresee that would be supportable by the people of the region?

Ms. LEBLANC. One of the things we know is that the region has tremendous mineral potential. The main problem we're facing right now is that the region is isolated, we have no infrastructure, and, consequently, it's hard to attract industries out there. They see it as being an expensive area to go into.

Senator MURKOWSKI. How about oil and gas leases?

Ms. LEBLANC. That's what I was going to mention. We have three major oil and gas basins in our region that have not been explored. There has been one test well and some siesmic work and some other minimal things done. This area is the size of Oklahoma and somehow I don't think one well test would have proved whether Oklahoma had oil or not. So maybe there are ways of promoting mineral development in the region.

Senator MURKOWSKI. Would the people of the Calista region support oil and gas development or exploration?

Ms. LEBLANC. I think during the beginning stages, if the time was taken to go out and explain to the people how the exploration process works and show them that it is not going to harm their environment and that there are long-term benefits, you could probably persuade many, if not all of the people, to support that kind of idea. We've had villages that were reluctant to have mining companies come into them and they are now working with some of the exploration companies in our area.

Senator MURKOWSKI. Thank you, Elizabeth.

Ms. LEBLANC. We prepared some written testimony also and we would like to have that included in the record as well.

The CHAIRMAN. It will be done.

[Prepared statement of Ms. LeBlanc appears in the appendix.]

The CHAIRMAN. Thank you very much Ms. LeBlanc.

Our next witness is Mr. Andrews.

STATEMENT OF MATT ANDREWS, BOARD OF DIRECTORS, PNEUMA CORP., SAINT MARY'S

Mr. ANDREWS. Senator Inouye, Senator Murkowski, and members of the committee. I am Matt Andrews from the city of Saint

Mary's and a member of the PNEUMA Corporation Board of Directors. I am speaking on behalf of a large number of people from the Yukon-Kuskokwim Delta who are seriously concerned about the alcohol problem and who would like to see a Family Alcohol Treatment Program brought into existence at the old St. Mary's school facility.

Senator, I do not need to dwell long on the fact that substance abuse, particularly alcoholism, is very serious in our area. We see it in neglect and, at times, abuse of children because of alcoholism.

In my job in administration in our local school, Andreafski High School, I see performance of the students seriously degraded due to unstable home situations. I see incidents of suicide and contemplated suicide high among our young people, especially teenagers and young fathers. I see very stressful situations created within families as a result of their abuse of alcohol. We have problems with keeping good staff people at our school and, in general, the unemployment rate is high. Among those who do have jobs, they frequently cannot keep them. Crime is almost absent among our people except that which is related to alcoholism.

Senator, we are very concerned about the problem and would like to urge you to help us bring into existence a Family Alcohol Treatment Program at the now vacant Saint Mary's school facility.

Family has traditionally been very important in our Native culture but our family life is seriously threatened by the problems resulting from the widespread alcoholism that has caught us in a most vulnerable time of our development. We have to deal with the problem. We feel the most effective way will be through that part of our life which is so valuable to us—our family life. We feel that if we can restore healthy family life by dealing with the problem of alcoholism in a family way, in a program similar to the Kakawis program in British Columbia, we can restore that which is most basic to our way of life—our families. We feel that if we have healthy families we can become independent and be able to cope with the destructive influences that are constantly coming our way. We need healthy families.

Senator, we feel that if we could get a commitment of funding for this project for a 5-year period, we would save the public many times the amount invested in our program in reductions in law enforcement; rehabilitation programs such as Correctional Centers; medical costs for alcohol related ailments, including attempted suicides; costs of treating fetal alcohol syndrome children, not to mention the tremendous benefit in saving human brains. In addition, we would be making the school system more effective, thus assuring the healthy growth of our children. We hope that this would nurture and promote the development of creative local industry which would further reduce dependency on public support.

It has been pointed out to us that effective treatment of serious epidemics has been accomplished by prevention rather than treating the resulting disorder, for example: smallpox, treated by finding a vaccine; dysentery, treated by effective sanitation; malaria, treated by mosquito control. Our hope is that the alcohol epidemic will be cured by family treatment.

Senator, a very adequate facility exists, which you saw last September during your visit to Saint Mary's, where we can run such a program. Some effective efforts were made this year with inadequate funding. We have great confidence that with funds sufficient to run a modest program we would be able to prove our contention that large savings of public money would occur.

There has been good interest on the part of local people for the program. Reports are that the few people that were treated in the program from a neighboring village benefited significantly from the meager program offered and are now forming support groups themselves in their villages. People from Saint Mary's who volunteered their help during the treatment phase of the program plead that the program continue because they, themselves, saw hope and experienced healing within their own families.

Senator, I thank you for listening and I hope you hear in this short testimony our urgent appeal for help to get started, our hope to begin healing ourselves, and becoming independent of those negative influences that have crept up on us while we trusted.

Thank you.

The CHAIRMAN. As you have indicated, I did visit the village of Saint Mary's about 9 months ago. At that time I was very greatly impressed by the suggested program and I took a trip around the abandoned school building. Upon my return to Washington, the staff looked into all possible sources of funding and the results have been, at best, minimal. At the present time, Senator Murkowski and I are working with the Indian Health Service, trying to convince them that the concept of family treatment makes immense sense because I think the whole environment should be addressed. We are trying to convince the Indian Health Service to look seriously upon the Saint Mary's school as the site for a pilot program and if it works out well other areas, not only in Alaska but in other parts of Indian country, we could do the same thing. I believe that gentlemen there was the one who guided me, but you had a white collar then.

Father SEBESTA. Right.

The CHAIRMAN. Would you like to tell us where you are now?

STATEMENT OF FATHER JAMES SEBESTA

Father SEBESTA. I'm in Fairbanks. I have an office there and am working with the PNEUMA Corporation, which is organized in trying to get this Family Life Program started. There are five members of the Board of Corporation from the village of Saint Mary's and another person from the Yukon-Kuskokwim Delta area originally who now works in Anchorage, then myself and a businessman from Fairbanks, and Dr. Alberts, who is the Director of the Mental Health Unit at Providence Hospital. Together we're trying to bring this program into existence. With the firm hope that what we can do is not only treat the illness of alcoholism but try to change the attitude within the villages so that people will be able to become independent and self-sufficient and be able to determine how they want to handle these problems and, as Matt has indicated, hopefully to create the atmosphere for creative industrial development. In my efforts in another village, we formed the Kaltag Fishermen's Association and that's still going as an effort to try to provide some work. One of the very strong shortcomings is finding local managers to run operations like this and we have retreated to looking at the serious problem which prevents us from finding those local managers and that is the problem of alcoholism.

The CHAIRMAN. For the record, will you identify yourself so we will know who did the speaking.

Father SEBESTA. Yes; my name is Father James Sebesta. I am with the Catholic Church. I have taught at Saint Mary's high school and I have worked with the people of Saint Mary's and in other Indian villages for the last 18 years. I am trying to offer what support I can to see this program into existence so that it will become completely their own.

The CHAIRMAN. We will do our best to make your dream become a reality.

Father SEBESTA. Thank you very much. I appreciate that.

Mr. ANDREWS. Thank you Senator. I would like to leave a copy of the testimony I presented here today along with a proposal that we have.

The CHAIRMAN. Fine. You can bring it right up here. Thank you very much, Mr. Andrews.

[Prepared statement of Mr. Andrews with proposal appears in the appendix.]

Senator MURKOWSKI. Mr. Chairman, I would just like to comment very briefly to congratulate Mr. Andrews on the testimony that's been offered and also to recognize the tremendous dedication of Father Sebesta.

I can well recognize, serving also on the Veterans Affairs Committee, the difficulty you're having with the more traditional governmental approach towards the establishment of health care capabilities which the Federal Government provides, whether it be to the veterans or the Indian Health Service and others. We're finding, Mr. Chairman, where aging veterans are required to go to facilities far removed from their friends and their homes to receive not more sophisticated health care but more or less care for the aged, which is a different type of care. However, we're beginning to see some progress on the part of the Veterans Administration to recognize that, indeed, there is a place for home health care by responsible people who want to provide it in the domiciliary areas of residents.

I would think, Mr. Chairman, in recognition of what is being attempted here as a consequence of complementing in a more efficient and effective manner the obligation of Federal Government, be it through the BIA or Indian Health or others, to perhaps consider the merits of introducing legislation to try to bring about recognition that this could be a prototype. I know that those things aren't easy. I don't want to mislead my constituents by any means, but if we can't get anywhere with the Indian Health Service recognizing the necessity of occasionally granting exceptions, then I'm willing to pursue this with special legislation. I would hope that you would join me, Mr. Chairman.

The CHAIRMAN. You can put my name on it.

Senator MURKOWSKI. All right. Let's go back and do it.

Thank you very much Father and Mr. Andrews.

The CHAIRMAN. Our next witness is Mr. Paul Gregory of Bethel.

STATEMENT OF PAUL GREGORY, NUMAN KITLUTSISTI AND BETHEL VILLAGE CHIEF, BETHEL

Chief GREGORY. There are a lot of people here today but I think my voice will carry over there somehow.

I am Paul Gregory from Bethel. If my Chief was alive, he would probably make a statement something like "I'm going to fix you buggars." I remember him very fondly and his shoes are very hard to fill, but at least we're trying.

First, I'd like to thank the committee for providing us this opportunity to address these matters which are of grave concern to the welfare of my people. Time precludes a full examination of all the issues which so deeply affect us so I will present you with only a few.

Of greatest concern to us is the assurance that we will always be able to pursue our traditional subsistence activities. Inherent with this is the continuing conflicts over the land and renewable resources which our people and cultures depend on for their survival.

With great apprehension we see our lifestyle and the continued use of these resources increasingly jeopardized through exploitation, ignorance, insensitivity, and interference by governmental and special interest groups.

A few specific issues and areas include:

1. Bristol Bay Oil Lease Sale No. 92. This sale has been ardently fought every step of the way by the subsistence community and the State of Alaska as a whole since its original conception 10 years ago. Bristol Bay is an extremely rich and diverse eco-system that nurtures and supports vast populations of fish and wildlife which are vitally important to all the people of western Alaska. Estimated recoverable deposits of oil are an insignificant three week supply for domestic needs. Yet, the Federal Government continues to press strongly in favor of this sale despite our concerns. The potential destruction of this area is a completely unacceptable and irresponsible trade-off.

2. Migratory Birds. Our people have been informed that the hunting of these waterfowl is not allowed during certain times of the year. This closed season directly coincides and conflicts with traditional harvest activities. "Legal" harvest can only occur for a few weeks in early September after many of the birds have already left on the fall migration. This is the result of treaties and regulations which blatantly ignore or totally disregard our historical dependence and continued use of this resource. Attempts to have the treaties amended or provide more realistic regulations are routinely stone-walled at the political and Federal levels.

Millions of Federal dollars are pumped at us under "information and education programs" which serve to teach our young people that their parents are criminals in pursuing their traditional means of providing for their families. At the same time, due to habitat loss in their wintering areas, large concentrations of waterfowl occur in severely confined conditions where famine and disease are continual threats. Developmental interest are primarily responsible for this loss, yet they refuse to concede the few hundred thousand acre feet of water out of millions available that are necessary to maintain what habitat is left. This is another lop-sided situation where government is bowing to monetary interests and failing to fulfill its responsibility for proper management of the resource.

3. Fisheries. This is perhaps the greatest area of current failing that has been wrought on our people through inaction or apathy on the part of the governmental and private interests.

Fisheries are the mainstay of our subsistence lifestyle and the only viable alternative for any sort of economic independence. They are subject to ever-increasing pressures through expanded commercial efforts and resultant interceptions of our salmon in the Bering Sea and high seas. The Federal Government has been reluctant and uncooperative in pursuing known and existing violations. Neither has it backed up existing legislation through active enforcement.

When western Alaska fishermen were successful in reducing interceptions by foreign fleets through forced implementation of the Magnusson Act, domestic fleets from the lower 48 immediately took their place and left us in a similar situation. Perhaps worse, as these fleets are not subjected to the same level of restrictions.

Efforts are currently under way by these same domestic fleets to pass regulations through the North Pacific Fisheries Management Council which will:

Exclude any western Alaskan villages from participating in the lucrative Bering Sea bottom fishery;

Increase the current allowable catch of the total available biomass by almost 30 percent; and

Continue their practice of wasting hundreds of thousands of salmon which are an incidental by-catch. These salmon are routinely thrown overboard as dead fish because they are not the target species. Eskimo people don't throw fish overboard, we eat them. A conservative estimate of 100,000 western Alaska King Salmon are killed this way each year by Bering Sea trawl fisheries.

At the same time, fishermen in our area are urged not to catch too many King Salmon for subsistence purposes and are not allowed to fish for them at all commercially because of low escapement and endangered population levels of King Salmon. Where is the justice or sound management principle here? We see none. It seems readily apparent that the voice from one Bering Sea trawler which makes $50-plus million a year carries a lot more weight in management decisions than all of the people in our region. As an dollar comparison, the combined total for all the fisheries in our area was in the neighborhood of $20 million. The out of State trawl fisheries have a net worth of approximately $1 billion annually. This is another totally inequitable and unacceptable situation. Yet, the Federal Government remains notably inactive and silent.

Overall, this is our greatest frustration. We are continually confronted with the sad fact that money speaks louder than people. Corporate interests carry far more weight in the political process than do the people whose very lives are affected or threatened by these actions.

There is a current political attitude that the people of bush Alaska could be taking a stronger role towards shaping their own destiny and attaining economic independence. This can only be done if their needs and concerns are given a greater and more deserved recognition than they currently hold.

Political and management decisions affecting the land and resources of western Alaska must weigh their findings with due consideration to the Native peoples as part of the environment. They must be given a fair and equal chance as well to take full advantage of and be a part of any economic benefits which are available through the apparently inevitable exploitation of their homeland.

At all costs, the land and our renewable resources must be protected and maintained. They are the cornerstone of our survival in all respects. Without them, our culture and our people will cease to exist.

Thank you for listening.

The **Chairman**. I can assure you that this committee will look into your charge that Federal agencies either are not implementing the laws or enforcing the provisions of the laws to preserve and protect the resources that you speak of. I will have the staff look into this immediately. I will also look into the matter of the fishing companies from the lower 48 who, according to you, are doing damage to your fisheries. We will certainly do that.

Senator Murkowski.

Senator **Murkowski**. Thank you, Mr. Chairman.

I am sure you're aware of the recent action taken by the Administration not to approve the negotiations of the drift net fisheries on which substantial negotiations had taken place with the Japanese. There is a schedule for Taiwanese drift net negotiations on the 1st of June. The Administration determined that the negotiations were inadequate and the Secretary of Commerce mandated that they go back and renegotiate.

Of course, we're all very concerned about the drift net fishing. What it basically does is catch our immature salmon on the high seas. There is a strong commitment by the delegation that that fishery is just not acceptable because we lose the ability to manage the resources on the high seas, let alone our own salmon. I think there has been a substantial turn around on behalf of the State Department in particular in indicating that there is dissatisfaction with the continued presence without observers or without some type of transponders on those vessels so we can maintain some control over the incidental catch, which is more than incidental as we both know. We traditionally manage our resources as a consequence of allowing escapement. After the escapement has occurred, then we open our fishery. If someone is taking those out on the high seas, obviously that's an effort in futility. So, I assure you that Senator Stevens, Don Young, and myself are very concerned about what's happening in this regard.

You will notice that we've intercepted a number of vessels of late and one of those Taiwanese vessels took a great deal of formal diplomacy since we don't have a relationship with Taiwan in the sense that we do with most countries. We don't recognize the Taiwan government in the sense of the United States having an embassy there nor do they have an embassy in the United States. But I think it's fair to say that we mean business on the issue of drift net fishing and interception on the high seas.

Thank you, Mr. Chairman.

Senator **Stevens**. I would just like to add that what Mr. Gregory says is absolutely true concerning the impact of this new technology on our fisheries. We will welcome the investigation you just mentioned. I calculated with my staff last week that there are 70 vessels now that have the capability of harvesting all of the species from Oregon's southern border to the Arctic. They are that large and they are harvester processor vessels and we've got a whole new technology we're facing now. That's American vessels. Now, General Gossman has been talking about the onslaught of the drift net fleets that come from Japan and Korea and Taiwan and Thailand and the combination of these two sources of pressure on our North Pacific species, particularly on the salmon, is just overwhelming. We are going to have to see what we can do about it. At the current time, it would not be possible for us to discriminate against any of the these vessels because there is no concept of what we call "limited entry" in this area. Of course, we are protesting this, as Senator Murkowski said, very heavily.

The **Chairman**. I want to join you in this endeavor because I am convinced that if nothing is done, the fish life will disappear from this area within 50 years. That would be a crime.

Your testimony, Mr. Gregory, has been most helpful.

Chief **Gregory**. Thank you.

The **Chairman**. Our next witness is the Chairman of the Anthropology Department of the University of Alaska in Fairbanks, Professor Richard Jordan.

STATEMENT OF RICHARD JORDAN, HEAD, ANTHROPOLOGY DEPARTMENT, UNIVERSITY OF ALASKA, FAIRBANKS

Dr. **Jordan**. Senators Inouye, Stevens, Murkowski, and staff members. My name is Richard Jordan and I serve as the chairman of the Anthropology Department at the University of Alaska Fairbanks. My specialty is northern archaeology and I have conducted fieldwork for nearly 20 years in Canada, Greenland, and Alaska. Since 1980, I have been carrying out archaeological research on the Native history of Kodiak Island with support from both State and Federal agencies and the Kodiak Area Native Association. Much of this recent work has been done while living in a Native village.

I thank you for this opportunity to present testimony on at least one aspect of the current status and problems of Alaska Native people as presented in the recently published report of the AFN. I have personally witnessed many of the destructive behavioral patterns which are presented as such shocking and grim statistics in this report. While I have no single magic bullet to offer in reversing these destructive trends, I remain optimistic that the lives of Alaska's Native people can and will improve in the future.

One of the core problems among a significant minority of Native people is the lack of a sense of self-worth and low self-esteem. These emotional feelings derive from historical attacks on Native language, society, economy, and traditional values through the process of colonial expansion and domination by Europeans. Historical forces have thus done much to damage a sense of cultural identity and pride, as well as cultural continuity in Native language, culture, and biology. The AFN report simply quantifies the extent to which this historical process has produced so much human misery.

Another related factor is a sense of loss of control over one's life, family, and community. This reinforces feelings of hopelessness and despair and has, and will continue to generate feelings of anger and hostility directed both externally and internally. Given this climate, any externally imposed program is doomed to failure without direct and immediate input and cooperation from Native people in the planning stages. Management of programs by Native people logically follows at the implementation stage. I believe this is a theme that you've heard repeatedly from Native people themselves today.

Although I cannot speak for Native people, my view is that the healing process will not occur until there is a renewed sense of cultural identity and pride in that cultural identity. The assimilationist policies of the past have been failures and have resulted in compounding problems for Native people. Every effort should be made to eradicate all remnants of these policies and programs. In addition, the following steps should be taken if Native people concur:

Financial assistance should be provided to encourage cultural heritage efforts. Such efforts might include oral history programs, archaeological excavations, language preservation programs, archival research, and documentation of traditional objects housed in museums. There is also urgency in recovering this information in the very near future. Traditional knowledge and historical perspectives disappear with the passing of each elder. Archaeological sites are massively threatened in many areas of Alaska through marine and riverine erosion as well as vandalism. The recent oil spill in Prince William Sound will probably severely impact an 8,000 to 10,000 year record of Native history in this State unless corrective measures are taken. The use of traditional languages continues to decline under the combined weight of the mass media, instruction in English, and pressures to gain skills useful to the dominate society. Such projects should be managed by Native people, which will initially require training and educational opportunities.

The accumulation of this information, however, will amount to little unless it is effectively transmitted in a useful and understandable fashion. Introducing this information into local school curricula is one critical step. Other means might include the production of videos, hosting of public culture heritage conferences, presenting displays of traditional arts and crafts, establishing courses in language instruction, and the production of activities in the expressive arts, such as dance and music. This dissemination of information and hosting of activities will not only build pride in Native culture heritage, but will act as a vehicle to overcome prejudice and intolerance within certain segments of the American public. Such a program is viewed, in part, as one of prevention. And it will be one that is cost-effective, particularly when compared to the human and financial costs of coping with criminal activity, suicide, homicide, substance abuse, family and community disintegration.

The establishment of local museums is another important element. Museums have evolved in the past several decades from dusty repositories of curiosities to dynamic educational facilities for the general public. You only have to look down the mall to see that, I'm sure. At the local level they provide access to the achievements of earlier generations. To use Kodiak as an example, the most important ethnographic collections are now housed in Leningrad, Helsinki, Copenhagen, Boulogne-sur-Mer [France], London, Berkeley, and Washington, DC. None exist on Kodiak. If a proper museum were constructed, various types of loan agreements could be arranged with these museums. Finally, and very importantly, local museums provide a physical facility to conduct and host cultural heritage activities. And, of course, they should be managed by the local Native organizations, which will also require training and educational opportunities.

I thus urge this committee to consider supporting culture heritage research, culture heritage programs, and the establishment of local Native museums. According to the statement of one Alaskan Native whose views I take very seriously, "Preserving Native American cultures encompasses more than scientific or aesthetic goals. For us it is nothing short of survival."

Thank you.

Senator STEVENS. Mr. Chairman, may I? Professor, you should know that Senator Inouye is the leader in the Congress of the establishment of a new Indian museum on the mall. And, according to his legislation, it will provide travelling exhibits to go for substantial periods of time on loan to the areas from which those exhibits were obtained. It is a very historic exhibit, the Hay exhibit from New York, which now for the first time will be moved out of New York and will be available to the Nation and also to the areas of the west from which these exhibits were obtained in the first instance by the Hay Foundation. It is going to be a new era for museums once that starts.

Dr. JORDAN. Yes; I'm quite aware of that. One of the difficulties I see at the local level, however, is that unless there are proper facilities, which is to say facilities which are secure from vandalism, which are fireproof, have proper environmental controls, then these travelling exhibits cannot under good conscious come to local areas. But I do support those efforts, certainly.

The CHAIRMAN. I hope that you will not be too disappointed and frustrated in your efforts because what you are doing and pursuing I think is the answer to many of our problems here—cultural identity, cultural preservation. I join you in your endeavors, sir.

Dr. JORDAN. Thank you.

The CHAIRMAN. Our next panel consists of Mr. Tom Abel of Craig; Mr. Joe Hotch, Chilkat Indian village; Ms. Clare Swan, tribal chairperson of the Kenaitze Indian Tribe; Ms. Katherine Boling, president of the Kenai Native Association; and Ms. Virginia Kvasnikoff, vice president of the Ninilchik Traditional Council.

Mr. Abel.

STATEMENT OF TOM ABEL, CRAIG, AK, ACCOMPANIED BY JIM FRANK, ACTING PRESIDENT, PROVISIONAL COUNCIL OF HYDABURG

Mr. ABEL. Thank you Senator, members of the Senate Select Committee on Indian Affairs. My name is Thomas H. Abel. I speak to you today as a sovereign Haida and I am a citizen of the Haida Nation. Our Nation preceded the United States of America by thousands of years. Our history pre-dates written western versions and the occupation of our homelands by ourselves remains a fact today. I would like to tell you all today that I am not an Alaska Native nor are any of the people in this room Alaskan Natives. I am a Haida.

Before I make my presentation, I have a letter here to Senator Inouye from the Klawock IRA Council and perhaps I should give that to you when I am finished, Senator. It is an invitation to visit the Island which is known to you as Prince of Wales Island, which is the Island on which my hometown is located and the other communities of Craig, Klawock, Hydaburg, and Kasaan. Also with us today—he did not have the opportunity to be on the witness list—is Mr. Jim Frank, who has been acting as the President of the Provisional Council of the Haida Nation in Hydaburg.

Today I shall seek to provide for you a personal historical perspective and a contemporary opinion of the present status of the indigenous people of Alaska. My perspective is that of one who has fully and actively participated since 1977. Indeed, today I conduct only work which has the ultimate goal of seeking the restoration of the sovereign rights and the human rights of my people. I would like to relate to you today a story. When I was 10 years old, myself and two of my friends were apprehended in the act of digging out a United States Coast and Geodetic Survey monument. We knew even then that these markers were violating the integrity of our land and that they did not belong there. I believe that those lands are and were the lands of the Hydalas. We call ourselves the "Good People." These lands, waters, resources, and air were and are the homelands from which my people come. Today you call Hydaguay the Queen Shaded Islands in southern Prince of Wales Island. I submit to you that our claim is one of occupation that has been uninterrupted, albeit that it has been severely attacked and is under attack today. I submit to you that our title remains valid and that our sovereignty is in tact, including the jurisdictional rights and that the complete array of intrinsic accouterments of government need only to be reidentified and restructured to meet the contemporary issues and problems that face us today. Only we can solve the problems that face us.

The potential that is possible through the integration of our own indigenous science and technology with that of the technology available through western technology—your technology—offers us the opportunity to solve the problems which are attacking us in the environment and in our health, not to mention the social fabric which is being eroded among all of us—not only my people, your people as well.

History, at least that version presented in public schools, does not usually cover the topics which relate to trade and administration from the early 1700's to 1867. These events must and should be searched out by the individual to find the truth behind the Treaty of Cession of 1876. The territorial claims of the United States of America to Alaska, the Statehood movement, the Alaska Native Claims Settlement Act, and the Federal Lands Policy Management Act, not to mention the legal decisions relating to jurisdiction by Judge Deede, which are followed again in the Teheitan decision, combine to deprive the Alaska Natives—as you call us—of our 5th Amendment rights. They have also combined to create a legal fiction that purports to extend the claims of the United States over the indigenous tribes and to extinguish our aboriginal title to manipulation of law.

To speak to Russia, at no time did she exercise sovereignty or claim such over Alaska. In fact, if one studies Russian history, particularly that which relates to Alaska and the Russian American Company, one will immediately find that the Russians were in actual occupation of very limited forts and trading sites. They lived in a state of constant readiness due to the hostility of the tribes up and down the coast. These hostilities were not met with Articles of War. In fact, the dependents of the Russians upon the good graces of the indigenous tribes was such that every effort was made to prevent accidents which would prompt uprisings. There are, as a matter of fact, numerous recorded incidents of attacks which successfully drove the Russians for a time from Kenai, Yakatat, and Sitka. Although the Russians had in 1867 an elaborate administrative structure with 10 districts identified, at no time did they claim sovereignty over Alaska nor did they impose any legal systems or occupy lands without some type of agreement with the areas indigenous occupants. In fact, in a memorandum transferred to the Secretary of State William Seward by Secretary to the Czar Kozlivtzov, it is clearly stated just what the status of the Alaskan Natives was.

This report clearly delineates the tribes into dependent and independent groups and there were, in fact, only two tribes under administration of Russia. All other tribes were independent and were treated as such. No taxes or tributes were levied nor were the lands taken or occupied. Dependents, in the context of the times, clearly is related to trade not to the maintenance of life or what has become known today as a dependent sovereign. The Kozlivtzov Memorandum is contained in a report entitled "Russian Administration of Alaska and the Status of Alaska Natives," Senate document 152 of the 81st Congress, 2nd session, presented by Senator Mahoney, then chairman of the Committee on Interior and Insular Affairs, on April 6, 1950. This report of the memorandum clearly a response to the questions arising concerning jurisdiction after World War II during which the United States had conveniently conducted what only be construed as the invasion and occupation of Alaska under the guise of the Aleutian Campaign in defense of our national security. The report speaks for itself. I will not attempt to interpret or elucidate further on it here for you today. I believe that it behooves you to retrieve this report and to review its implications for I am given to understand that the Federal Field Commission Report on the Status of Alaska Natives did not consider the Kozlivtzov Memorandum or this report because of political reality. This report, in my opinion, supports what I have long suspected—that the Treaty of Cession is not and never was a transfer of title, it was merely a transfer of Russian possessions and trading rights. Russia did not sell what Russia did not own.

I would like to very briefly state to you that the legal decisions which have imposed jurisdiction of Federal laws and courts upon us in Alaska today are based upon what can only be considered very tenuous tenets of law. I believe that any law that deprives a person of their human rights or 5th Amendment rights cannot be and should not be recognized as just. I cannot be a citizen of the United States without my 5th Amendment rights. If I am to be a citizen of the United States today, it would be as a second-class citizen. I am told that is not supposed to be possible. However, I submit to you today, sir, that there are thousands of us who are, in fact, second-class citizens because we have no right to due process.

It is imperative that the United States of America reexamine its legal history in the light of the passage and implementation of the Convention on the Prevention and Punishment of the Crime Genocide as well as to conform to the accepted international standards for human rights. No one likes to discuss genocide but the reality is that the assault upon the indigenous people of Alaska is occurring today. It has taken new forms that are much more subtle but the results are the same—the annihilation of a people.

The history of the United States and its relations with Indian tribes is not one which can be described as a beautiful relationship, to be somewhat sarcastic. I think it would be fair to say that the genocide that occurred to our people across this continent has been surpassed by only two people—one was Adolph Hitler and the other is his progeny who are finally being driven out of South America today, such as Mr. Stroessner.

I would like to relate to you that we once were greater in number than you and at that time we freely traded and offered all that we had to provide you with the accouterments of life, the necessities of life. The laws, the combination of disease, famine, alcohol have all combined to put the indigenous people of Alaska on the edge of extinction while the Congress and the United States of America's hand picked corporate leaders rushed to finalize the completion of the biggest theft of lands and resources in the history of the world. The Alaska Native Claims Settlement Act is not working, it was not designed to work, and the 1991 amendments did not fix anything. I cannot accept an Act that puts my land back into the Trust of the United States of America without my permission, without even informing me. The genocide of the indigenous people of Alaska must be stopped. Today I will say to you that our human rights and sovereignty have been violated enough. I say to you, "No, never again." It is not for you or any commission formed by you to examine or question our sovereignty, rather it is for you to examine your own sovereignty and to restructure your oppressive government and its racists institutions to conform with your own laws and to the currently accepted standards regarding human rights. The sovereign rights and plenary powers of our tribes rest in the tribal law and history preserved by the elders, enacted upon by them in times of need. Today we witness the devolution of the world and the struggle of indigenous across the world to regain title and control over what is rightfully ours.

Senator, recently I think we won a case on subsistence. I was assisting my cousin, who is a grandmother. She has been charged with eating food, which we have eaten for thousands of years, and selling some of that food so that she could have money which is necessary to live in the world today. Right after or during this trial the *Exxon Valdez* killed the whole Sound. I think it is time for the United States to stop charging grandmothers and women and children with the crime of eating. It is time for us to seek out the answers to the problems that face us and that we should approach them in a realistic manner as human beings. The solutions to our problems cannot be answered by the Alaska Federation of Natives, Incorporated. The Alaska Federation of Natives, Incorporated represents no people. The Alaska Federation of Natives represents corporations. Those corporations do not represent people, they represent shareholders. My son is not a shareholder, he is 20 years old. My son has been terminated. I could go on, Senator, however, in the interest of time, I would pause here and I would like to deliver this invitation to you.

Thank you very much for your time.

The CHAIRMAN. I thank you very much, Mr. Abel. I would like to suggest that though our history may not be the brightest in the civilized world, we have made many mistakes, we have many sins to account for, but I don't think that we deserve the comparison with Hitler. We may have been bad but not that bad. Because if we are like Hitler, you would not be standing here testifying before a Senate committee.

Mr. ABEL. Senator, I believe that I said that there were only two people who had surpassed that record.

The CHAIRMAN. Our next witness is Mr. Joe Hotch.

STATEMENT OF JOE HOTCH, PRESIDENT, CHILKAT INDIAN VILLAGE TRIBE, KLUKWAN

Mr. HOTCH. Mr. Chairman, I would like to make my own corrections here. I have an error here, I called you David in my printed testimony. I'm sorry honorable Senator Daniel K. Inouye, Chairman, Select Committee on Indian Affairs.

Senator Inouye, distinguished members of the Select Committee on Indian Affairs, I'm speaking for 15 others. It is a great honor to welcome you to our land of Alaska.

Our Native peoples have been stewards of both land and its resources. As we acknowledge it from within the Bible, God has blessed us, our Native peoples, with all the contents of this land.

Mr. Chairman, I will highlight in my testimony as close as possible to our supplemental material before the committee.

The CHAIRMAN. It will be received and made a part of the file.

Mr. HOTCH. It is with honor and pride in God's gifts to our tribe that I come before you representing the Chilkat Indian Village Tribe of Tlingit. We are also organized under the Indian Reorganization Act of 1934, as amended in 1936, both sections 16 and 17. Our tribe has governed itself since time immemorial. Our self-government is inherent. It was not received from the District Organic Act of May 17, 1887. It was not received from the Territorial Organic Act of August 24, 1924. And it was not received from the Alaska Statehood Act of July 7, 1958. However, article 12, section 12, recognizes our self-governance by the disclaimer and agreement because this is required by previous American Indian treaties.

Our self-government is also recognized by our continued exercise of tribal cemeteries in our Native communities. This is saying that right up to our last breath, we exercise our sovereignty. When I die I have a special place at home—and I'm sure all these people have the same thing.

Public Law 93-638, section 2(2) reads,

> The Indian people will never surrender their desire to control their relationships both among themselves and with non-Indian governments, organizations, and persons.

The treaty cession of Russia, proclaimed by the United States June 20, 1867, article 3, reads,

> The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized Native tribes, shall be admitted to the enjoyment of all rignts, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country."

Finally, Mr. Chairman, the regional and village corporations organized under the Alaska Native Claims Settlement Act has divided our Native tribes in Alaska. We recognize that the regional and village corporations are doing their best as business corporations set up under the State corporation laws. However, very few of our Native people are working in our corporations or their subsidiaries. We will be further divided after 1991 when stocks can be sold to non-Natives.

The life of our corporations will be as long as it produces. Land, property, and shareholders existence will end somewhere. But tribes will continue to exist and our children will become members upon birth as always. Therefore, Chilkat Indian Village IRA Council, on behalf of Chilkat tribe, requests the Select Committee on Indian Affairs to heal the injuries imposed on the Alaska Native status by the Statehood Act and the Alaska Native Claim Settlement Act by restoring tribal recognition to all traditional councils and all IRA councils.

Mr. Chairman, the voices of regional and village corporations are heard in Washington, DC. But the voices of concerned traditional and IRA councils are dimly heard at the present time, both by the State and Federal Governments. Chilkat Indian Village, Mr. Chairman, is fortunate to have joined the Alaska Native Coalition through whom our voice is represented, particularly by John Borbridge, Jr. and Edward Warren. Our appreciation also goes to the Native American Rights Fund Staff in Alaska for their assistance.

In closing, the American Indians and Alaska Natives appreciate the Select Committee on Indian Affairs for being an important arm of Congress of the United States because your decisions relating to us as Alaska Natives and Alaska tribes is very important to our government-to-government relationship and our survival.

May God bless you all on the Select Committee on Indian Affairs as you deliberate on issues relating to the American Indians and the Alaska Natives who appreciate and enjoy and exercise self-government.

Thank you on behalf of Chilkat tribe.

[Prepared statement of Mr. Hotch appears in the appendix.]

The **Chairman**. We are pleased with the Ninth Circuit Court's recent decision that upheld your jurisdiction over the taking or non-taking of goods by non-Natives. The Court in so doing recognized that you had residual sovereignty over the land. Congratulations.

I thank you very much.

Our next witness is Ms. Clare Swan.

STATEMENT OF CLARE SWAN, TRIBAL CHAIRPERSON, KENAITZE INDIAN TRIBE, KENAI

Chairperson **Swan**. On behalf of the Kenaitze Indian Tribe, I thank you for holding these hearings. I am glad to have the opportunity to be here today. My testimony is not very long.

The AFN report on the Status of Alaskan Natives is, indeed, a clear statement of the cultural and economic problems affecting us all today. Testimony by our Native leaders on March 3rd and on this day leaves little more to be said. We just need to get on with the work.

We have many competent Native people to carry on this work and I wish only to add a cautionary thought to the recommendations. Of the five central themes cited in AFN's report, the loss of local Native control and responsibility is most crucial. I would ask all of you who work with our tribes and corporations to remember that when we delegate others the job of deciding solutions to our problems, then we must often deal with their perceptions. Too often, then, in signing the resolution giving others this authority, we sign away our responsibility. To those charged with making and implementing decisions for the lives of Alaska Natives, knowing and understanding your own motivations is vital.

Alaska's tribal governments and corporations must find and make clear paths on which to walk together in strength.

Events of the past weeks again prove that we are the only ones who can make a difference in our lives.

In closing, Mr. Chairman, I offer this short poem in knowledge of what has gone before and in the hope that each Alaskan village and tribe will decide its own priorities and destiny. The title of the poem is "Dena'ina Found and Lost." Dena'ina is the name of my tribe, an Athabascan Tribe.

> They found our land and used its riches, now there is not enough for them and none at all for us.
>
> They found our land and filled our spaces, now there is not enough room for them and none at all for us.
>
> They found our words and changed their meanings, now even that is not enough for them, and what is left of us?

Thank you Mr. Chairman.

The **Chairman**. I thank you very much. I shall make certain that members of the committee look at your testimony very carefully, especially your poem. I think it says a lot.

Our next witness is the vice president of the Ninilchik Traditional Council, Virginia Kvasnikoff.

STATEMENT OF VIRGINIA KVASNIKOFF, VICE PRESIDENT, NINILCHIK TRADITIONAL COUNCIL

Ms. KVASNIKOFF. Thank you Senator Inouye for allowing me to testify today. I testified last year at your hearing when you were here—the last one at 11 p.m. Do you remember? Honorable Senators Frank Murkowski and Stevens, good afternoon. My testimony is going to be very simple and it is in response to the status report also.

These status reports are very scary to me. I don't like seeing these things. I think from my standpoint as a adult to read these things and of our young people what it must mean to them to read this stuff. My response is what is happening to a proud people? Some are dying and some are living. Weighing the statistics that those are surveying, but according to statistics, we are doomed. But I look around me and not all of us are raised by alcoholics. We were raised by hard working, God fearing people.

The 638 amendment passed for Native people to take control of their lives. Some have successfully done just that and some haven't but are still trying.

The Native students of Alaska are 75 percent of the national average in academic skills. But the rural schools have fewer dropouts than the urban areas. Arriving at percentages are somewhat of a mystery. Is it absenteeism, incompetent teachers, language barriers, parenting skills, or different standards in communities, or a combination of all? If we fall short, what can be done to remedy it? Students of Alaska are leaders of tomorrow. Think of yourself in their shoes. They went to school for 12 years and then they go to another school and they are not up to the standard. They have to go to school some more just to learn enough to be where they're supposed to be, which should have been taught in the first place. It is a bad situation. Then he reads the paper and watches the news and finds out that the young people are taking their lives and this is another cause of depression. The media plays on the bad things that happen to the people and there is very little written about the good things. Couldn't some of the good things be emphasized?

A lot of Native people and Native leaders are pretty prominent and doing quite well in our government and are respected and influential. It seems like some of that could be put into print and give people a little encouragement that they are doing something good.

Then there are the standards. We are judged by standards. You know the village standards are different. You go into urban villages and they have different standards than rural villages. So students coming from villages going to an urban standard represents a drastic change. Couldn't our standards be modified so that we can accept standards from both worlds? Also, our standards even in the villages are changing due to the influx of people, more restrictions on hunting and fishing, and our lifestyles are changing. Our diet and our hunting fishing take a lot of time and effort and it is a family affair. In village life, it riddles everything involved.

I don't know how to change these things. Maybe someone else has the answer. It is ironic that some of the things that were introduced to our culture—like the alcohol and the drugs and the sugar that they traded to the Indians and Natives for their goods and lands and whatever they could get—now they have decided that those things are no good for us. But it was good for us when they could get things they wanted.

Another thing that they are talking about is parenting skills. There are so many teenage pregnancies. How could you teach parenting skills to a child? Some of the elders' teachings are not acceptable in the modern culture. And the divorces and the separations that all disrupts all the family members. The children are left or go to different homes. I think they are harming our values, our families are suffering. I think more emphasis should be put on the hard work it takes to keep a family together and not just take the easy way out.

That's all I have to say. I thank you honorable Senator Inouye for listening to my testimony.

[Prepared statement of Ms. Kvasnikoff appears in the appendix.]

The **CHAIRMAN**. I agree with you that the report is a frightening document and no one would want to read those statistics. The only way that we can face up to these facts would be to read the report. I also concur with you that all too often our media would emphasize the negative and very seldom touch upon the positive aspects of life. The committee, you may be interested to know, has just started a project to document the successes in Indian Country so that people in Indian Country can see that there are many great success stories throughout Indian Country. When that is finished we will give you a copy.

Senator **STEVENS**. Mr. Chairman, you might be interested to know that I was in Kotzebue last night—and you would be interested in this, too, Ms. Kvasnikoff—and of the graduating class in Kotzebue of 30 students, 14 students were Honor Roll and 7 of them were National Honor Students—almost half on the Honor Roll and one-quarter in the top 1 percent of the Nation. There is great progress being made, I think. In trying to recognize what you're saying and what the Chairman is saying, we should find the role models for these young people and make sure they understand that education and progress and accomplishment are possible. Although we need the other statistics, too. We've got to have those to convince people we need help.

The **CHAIRMAN**. Our next panel consists of Mr. John Juliussen of Seldovia Native Association; Derenty Tabios, Executive Director of the North Pacific Rim of Anchorage; Mr. Nick Peterson, mayor, city of Akhiok; Ms. Nina Olson, Kodiak Area Native Association; Ms. Mary Ann Mills, Sovereign Indigenous Women of the Arctic, Sterling, AK.

STATEMENT OF JOHN JULIUSSEN, BOARD OF DIRECTORS, SELDOVIA NATIVE ASSOCIATION

Mr. **JULIUSSEN**. Chairman Inouye, Senators Murkowski and Stevens, welcome to Alaska. My name is John Juliussen and I am a member of the Board of Directors of the Seldovia Native Association. I am here to support the passage of S. 611.

As you know, the proposed changes to the Indian Health Service eligibility regulations have a massive impact on Alaska. The changes may be delayed again, but is reasonable to predict that at some point in time the government will modify the system to restrict what it sees as a growing access to services. We assume that the proposed regulations, basing eligibility on tribal enrollment, will eventually be implemented.

This will retain the political consideration of Native status, as is right. But it will also evoke a new set of problems for many Alaska Native villages arbitrarily left off the Department of Interior's 1986 list of tribal entities. If a village is not acknowledged as a tribe on that list, then it obviously cannot have an official tribal membership and tribal members can therefore be denied access to Indian Health Services. From our reading of it, Senate Bill 611 will significantly advance the Federal Government in the direction of removing this problem.

The current Federal Acknowledgement process was clearly designed with the Lower 48 in mind, requiring applicants to prove first that they are Indian and then that they constitute a tribe. Its orientation to Lower 48 Indians has made it more difficult to implement in Alaska. The Alaska Native Claims Settlement Act already completed the first step in establishing who is Native, and that definition has proven adequate for over 17 years. Direct descendants of Natives are Natives too, and descendency is relatively simple to establish also.

The second condition, being a tribe, invokes interesting conceptual issues. Deciding on an operational definition of "tribe" was not a goal of many Alaska Natives until it became clear that the process of becoming a tribe required approval by the United States. A need arose in the 1930's for Alaska Natives to engage in processes that entailed writing constitutions (in English), holding elections, mailing forms to the Department of the Interior, and on and on, in order to gain Federal recognition and, in some cases, acquire land held in trust as reservations. The fact that tribe was clearly an Indian label which did not fit reality well in large segments of Alaska did not matter as much as the need to complete the Federal processes. Often a tribal council was an alien form of making decisions—as was holding an election—but Native people followed the rules to gain approval by the Secretary of the Interior. When everything worked, individual villages became tribes and achieved their goal of Federal acknowledgement. But many did not complete these many tasks.

Hundreds of villages were included in ANCSA, some of which had already been recognized federally but many of which remained as traditional as they had ever been, isolated, and as autonomous as ever. The stringent criteria used in determining inclusion in ANCSA succeeded in doing, for all practical purposes, what the Federal Acknowledgement Process was intended to do. Litigation surrounded the passage of ANCSA and a final list of unquestionable tribes has resulted. But now, after 17 years, some of those tribes have been segregated and relegated to a peculiar status, listed by the BIA as recognized non-tribes in Alaska. That, practically speaking, is what the December 1988 list contains.

The Native village of Seldovia is one of those villages that for unknown reasons missed being included in the 1986 list of acknowledged tribes and has now been relegated to the 1988 list of recognized non-tribes. The with passage of Senate Bill 611, Seldovia may be able to overcome its debilitating lack of acknowledgement more quickly and at less expense than what we are facing under the current FAP. With the acknowledgement due us, our tribal rolls will be official in the eyes of the Indian Health Service, and services to our people will not be terminated.

The State of Alaska contends that by enabling tribes that have been overlooked by the Federal Government to gain their long overdue acknowledgement, Senate Bill 611 will raise the awful specter of sovereignty. The Seldovia Council certainly does not see it that way. Rather, we submit that the State is again raising the sovereignty issue as a smoke screen to cover its program of disallowing any form of government within Alaska that is not both ratified by the State and restricted to engaging only with the State. The idea of direct Federal-to-tribal relationships does not fit the Alaska State government's plan.

The subterfuge that the State is using to persuade Congress to withdraw that bill is that there are court cases now pending, and you should postpone any action until they are settled. Well, if there were ever a time that there were not court cases pending, it would be a simple matter for the State to begin litigation that would force the continuation of this moratorium. The logic of the argument fades when one realizes that the court cases are usually caused by the failure of the legal system to figure out whether an entity is a tribe or not. As we read it, S. 611 would not change that specific ambiguity. Thus, its passage does not logically relate to the State's court cases anyway.

The Seldovia Native Village urges the committee to pass S. 611. We ask that you see the State's resistance for what it is and we trust that you appreciate the bill's importance in preventing the disruption of critical services to our people.

Thank you.

The CHAIRMAN. I thank you very much.

Our next witness is Mr. Derenty Tabios.

STATEMENT OF DERENTY TABIOS, EXECUTIVE DIRECTOR, THE NORTH PACIFIC RIM, ANCHORAGE

Mr. TABIOS. Good afternoon Senator Inouye, Senator Stevens, Senator Murkowski, and staff. Thank you for visiting our State once again Senator Inouye. We appreciate the privilege of addressing you on matters of grave concern to the Alaska Native people.

My name is Derenty Tabios. I was born and raised in Port Graham, one of the villages that is served by North Pacific Rim, of which I am the executive director. I would like to address two issues today. The first relates to AFN's report on the status of Alaska Natives. The second relates to the inadequacy of the Federal bureaucracy's response to the oil spill emergency.

First, the matter of AFN's report. The discouraging social and economic statistics in that report reflect the continuing failures of the majority culture to deal effectively with the aboriginal peoples of this continent. Until very recently there has been an assumption that european or western values were superior to ours. This assumption affected how books were written, how children were taught, and how Native Americans—as well as other minorities—were treated.

Many American citizens, particularly in recent decades, have begun to seriously question that assumption. Native Americans have begun to seriously challenge it. One result of the challenge is the passage of Public Law 93-638. The Indian Self-Determination Act has been the official policy of the United States Government for over a decade. Yet, in Alaska implementation of the policy is continuously hampered because some people believe that there are not self-governing Native tribes here. That belief is obviously inaccurate. It is simply not based in fact. Yet it is a belief that is held by many powerful people and it is an ever-present roadblock to the exercise of self-determination in our tribal villages.

The deterioration of the traditional social structures in our villages is a direct and tangible cause of the social dysfunction reported by AFN. A most important component in any society is the effectiveness of its leadership in enforcing community values. In the case of Native Americans, the first post-contact event was inevitably the emasculation of the authority of the leadership. Treaties were made then broken, and the Indians were powerless to enforce them.

In Alaska, the emasculation of village leadership was more subtle and perhaps more destructive. No treaties were made, so none could be broken. Village authority was simply ignored. Lands were used at will by the majority culture without even a token acknowledgement of Native ownership until 1972, when big oil and big government wanted a pipeline. In all the years of the Alaska Native Land Claims debate, the village governments—as the official and legally responsible representatives of their people—continued to be ignored. Even though some of the Native people involved were in fact village government officials, the process was not a government-to-government settlement.

It was not until the mid-70's that the existence of the village governments was even noticed by the majority culture. The Self-Determination Act provided a vehicle through which the villages began to make their voices heard. Unfortunately, what the majority culture heard was not to its liking. And so in recent years it has set about to destroy what is left of village society by declaring that village government decisions are unenforceable and that Federal Indian law does not apply in Alaska—village adoptions are not recognized by the State, village jurisdiction over Indian child welfare matters is not recognized, the tax exempt status of village-owned enterprises and property is challenged, as is village authority to enforce local taxes and other community ordinances.

The Department of the Interior, which is the primary Executive Branch responsible for effectuating the United States Government's trust relationship with the Native American tribes, has utterly failed to defend the right of the Alaska Native villages to self-government. We hope that the new Secretary will be willing to take a fresh look at the legal quagmire that Alaska's tribal villages find themselves in. But the issue is so politically charged that we are concerned that even a new Administration may not be willing to touch it.

Senator Inouye, you have evidenced great sensitivity to the situation of Alaska Natives, including the tribal government issues in our villages. It is with a great sense of urgency that we ask you to champion our case for recognition of the authority and legitimacy of our Native village governments. America's trust responsibility to us, the "First Americans," ultimately rests in the Congress of the United States. We know that you have taken upon yourself to examine our history and we trust you to have a hand in writing the next chapter.

Now, I regret that I must also address the issue of the inadequate response of the Federal Government to the impacts of the oil spill in our villages and communities.

On page 32 of Secretary Skinner's and Secretary Reilly's report to the President on the *Exxon-Valdez* oil spill, the President was advised that "no single mechanism is in place at this time through which Alaska Natives can provide inputs on their particular concerns, or receive assistance for their claims and subsistence needs."

The "single mechanism" for human and cultural concerns should have been the Bureau of Indian Affairs. The North Pacific Rim went first to the Bureau for assistance. We appreciate the recent Bureau activity, it should be noted that as early as April 11, just a few weeks after the spill, our Natural Resources Department had submitted a full proposal to the Bureau for an interdisciplinary team to address the social, cultural, as well as the environmental and the biological impacts. Two days later, our Employment and Training Director requested funds to meet spill-related needs. Then on April 20, still less than 1 month after the spill, three full-fledged proposals in the area of tribal government assistance, social services, and natural resources were personally presented to Secretary Lujan during his visit here.

On May 15, Secretary Lujan directed his Assistant Secretary for Indian Affairs to undertake the necessary inventories and evaluations to determine what might be done to assess, and to facilitate the mitigation of the cultural, social, and economical impacts. The Secretary noted that "the Bureau of Indian Affairs may need to obtain additional funds to perform this work by either reprogramming or from other sources," and he asked to be advised of funding needs.

While we welcome the Secretary's support, as of Wednesday, May 24, exactly 2 months after the spill, none of the North Pacific Rim's requests have been answered. We need expedited consideration and immediate approval to meet our needs. We need an answer.

In the meantime, the Rim's village employees as well as village government volunteers and paid staff are faced with the dilemma of continuing to serve their communities at no pay or at TNPR's wages, or to go to work for VECO, the Exxon clean-up subcontractor, at nearly $17 an hour. All village staff have been seriously affected by the VECO conflict. One village Chief has exclaimed in frustration, "I don't know who I work for now because VECO is paying me but I'm still the Chief of my village." Most of the leaders have to wear two hats—one VECO employee hat, one village leader hat. The resulting conflict has had a terrible toll on morale and effective functioning.

These impacts are long term. Thousands and thousands of cash dollars are falling into the hands of a subsistence oriented people. The value conflicts alone may take a generation to sort out. In the meantime, VECO will eventually leave the villages, the money pump to the individuals will be disconnected, and the wreckage of traditions and heritage and lifestyle will have to be faced.

The time to start preparing for these social impacts was on March 25. Today is May 27. Relief is still not in sight and we are concerned that when it comes it may be too little, too late.

The Rim was the only organization which had well-developed communications systems in place to receive impact information from all of the villages, to act as a central repository of information and coordination, and to provide requested assistance. Our strategic relationship with the whole impacted region caused our workload to quadruple within days of the spill, and the pressure continues. I cannot underestimate the urgency of the needed assistance.

Senator, we hope you can help us by expediting the bureaucratic processes.

In closing, I would like to thank the Senator for choosing two of those communities which have been impacted by the oil for your visit tomorrow. We hope to make your visit a very welcome one, Senator.

Thank you.

The CHAIRMAN. As you know, we will be visiting the Native villages of Tatitlek and Chenega. I am looking forward to your guidance because I gather you will be hosting our visit there.

Mr. TABIOS. Yes, sir; I will be.

The CHAIRMAN. At that time, we will have another opportunity to hear from you and village leaders and the people. We will listen to their concerns. Your voice will be heard.

Our next witness is Mr. Nick Peterson, mayor of the city of Akhiok. I understand that the Mayor is not here. So we will move ahead to Ms. Nina Olsen.

STATEMENT OF NINA OLSEN, KODIAK AREA NATIVE ASSOCIATION

Ms. OLSEN. I am from Kodiak and I'm representing the Kodiak Area Native Association.

First of all, Nick Peterson could not make it because of the storm. He had fully intended to come and he requests that he be able to submit a written testimony.

The CHAIRMAN. The file and the record will be kept open for 2 weeks. If any of you would like to submit supplemental material or new material, please feel free to do so.

Ms. OLSON. Thank you.

I work as an elder. My husband retired and I went to work two years ago. The organization was looking for elders to take part and so they came to me and I like what I'm doing. I am in the alcohol and other drug abuse department and have had training and plan to take some more training.

I would like to share more positive things that are taking place in our community and our villages. There are things happening in our area—and I'm sure in other parts of Alaska—good things happening in my community, which is Kodiak. Working in that department, I do work on intervention and prevention and also some counselling. I find that our people are responding more. I don't know if it is because I am an elder or because I am a Native, but I find great response. I have a daughter who is also an alcohol counsellor and she has seen good response as well. So we've been thinking and trying different ways to present sobriety to our people. We will continue to do so. One thing I would like to mention is that we started a Native group which we call Natives for Sobriety. People have really responded to this. We have our meetings on Monday nights and our Native people come out. This is older people and youth together and we sense that they feel very safe when they come to this particular group, not that we don't encourage other groups, but we saw a need there and so we started this and I'm glad to report that it is taking off. Good things are happening through this.

I also visit a treatment center and visit the Native people. I have group time with them and they respond real well. In fact, one fellow said, "You know, I haven't talked to anybody else as much as I have with you." So I feel there is a real need for Native providers and counsellors along that line. There seems to be real good response in that way.

In my community, we are networking with other providers—mental health, crisis center, and we've asked the school to join—and we meet once a week. This way we know what is going on. The right hand knows what the left hand is doing. This is working out real well.

Also we have an adolescent treatment center which is called The Wings. This has been effective. There again, we, as Natives, are involved in that with other providers, which are professionals. I visit and talk with the Native youth that come there.

Another thing that's been happening is the youth and elder conferences. This has gone very well. I am really proud of our youth that are doing things and thinking up things for themselves. They're the ones that run the conferences. There is guidance by an adult, but the youth really run it. Every village has had a conference this past year and they have gone very well. I am very happy to see these things happening in my community.

I do, however, have some concerns. There is a need to emphasize more training in the area of cross cultural issues amongst the care providers across the State. One would be amazed at how little information is geared towards this issue. By this, I mean to include teachers, the medical providers, as well as the clergy. The videos being produced these days are geared for urban living, not for rural settings where they are being used.

My other concern is the changing role of the regional health corporations in light of the shift towards funding service programs directly with tribal councils in rural villages. As more villages write their own grants for providing alcohol treatment, suicide prevention, youth alternative activities, ICU, and so forth, how do the regional health corporation shift their focus?

I thank you for being here in Alaska. [Applause.]

The CHAIRMAN. Mrs. Olsen, I am pleased that you spent time telling us of successful results in your program. It is gratifying to know that. It also gives us some sense of hope that all is not lost. I believe we met last November, didn't we?

Ms. OLSEN. Yes; I was there. I am also involved in the Blue Ribbon Commission of AFN. This is what we're doing is celebrating sobriety and the good, positive things that are happening.

The CHAIRMAN. Keep it up.

Our next witness is Mary Ann Mills of the Sovereign Indigenous Women of the Arctic.

STATEMENT OF MARY ANN MILLS, SOVEREIGN INDIGENOUS WOMEN OF THE ARCTIC, STERLING, AK

Ms. MILLS. Honorable Senator Daniel Inouye, members of the Select Committee on Indian Affairs, and staff, thank you for being here and listening to our concerns. My name is Mary Ann Mills and I am a Dena'ina Indian and representing the Sovereign Indigenous Women of the Arctic.

I would like to draw your attention to the findings and recommendations within the United States Arctic Research Plan that was done by the Interagency Research Policy Committee, released July 1987. These findings were monitored by the National Science Foundation and further reviewed independently by the Federation of American Scientists. The political bias of the various agencies has been effectively neutralized and these determinations carry the highest degree of institutional integrity and should be relied upon by your committee to solve the many problems that have led to the genocidal elimination of the Indigenous tribal people of Alaska.

I would like to draw your attention to this statement in the Arctic Research Plan,

> Considerable research has already been conducted in the Arctic. People living there, particularly Native people, express concerns that they are 'over studied', that they are treated only as subjects of experiments and not as collaborators in the research, that they are often not fully apprised of the research being carried out or the results at the conclusion of the studies, and finally that the sensitive nature of the results is often not fully appreciated and dealt with appropriately.

Many of us are concerned over the mass hepatitis B immunization program that was imposed upon the Alaska Natives, especially when the November 14, 1987 Lancet report showed that the hepatitis B virus was on a sharp decline when the mass immunization program was introduced. We feel that the Indian Health Service, the governments, and the health corporations were not forthright with us in that they did not inform us of any controversy over the hepatitis B vaccine or of any of its potential risks. We are concerned for all Alaskan people because presently the State of Alaska has a mandatory immunization law, and who is to say who will be next. We have enclosed the shocking information that we received from doctors, scientists, medical writers, and concerned human beings from the United States and from around the world.

We have been told "trust me, trust me" by the Federal Government, by the State Government, and their corporate instruments, so many agencies and bureaucracies, and for so many years. It seems only reasonable that with all of these health programs, educational programs, social programs, etc., that we should be fit as a fiddle. Something is very wrong with their system and we find under all of this "trust responsibility" of the occupying governments, the reality is: per capita, Alaska Natives have the highest rate of poverty, the highest rate of diseases, the highest rate of alcoholism, suicides, mental health problems, incarcerations. The list goes on in an unending cycle of genocide. It is easy to see that these programs which have been thrust upon us is working to our demise and are geared to fail us in almost every aspect.

State and Federal statistics show we are worse off now than before the passage of the Alaska Native Claims Settlement Act of 1971. Through ANCSA we have inherited discord, pitting brother against brother and sister against sister through their sophisticated art of money, power, and greed. ANCSA took us out of human form and now we are stockholders and, as we all know, it is okay to eliminate stockholders.

Our cure must come from within us through our traditional beliefs, through the help of our traditional elders, and through our traditional tribal governments.

The fact that the Indigenous Native people have been used as target groups without our informed consent has led us to an almost total loss of confidence in the Federal and State Governments and their contractors in the administration of designer health programs with designer drugs and vaccines that are suspiciously related to Injected Immune Deficiencies as differentiated from Acquired Immune Deficiencies.

In closing I would like to state that the genocidal effects of both the State and Federal administration of governmental policies has resulted in overt and covert acts of genocide to the tribal indigenous people of Alaska and those other Alaskans who have peacefully integrated into our human tribal societies.

Since the United States and the disclaimer State of Alaska has jurisdiction based on quasi-military occupation and not sovereignty, as outlined in the Koslivtzov Memorandum, the puppet governments have aided and abetted the genocide as defined in the recent enactment of Public Law 100-606, the Genocide Act.

We are completely opposed to the Alaska Federation of Natives, Inc., and all other State or Federal chartered instruments in their efforts to create another commission to redocument what has already been determined by the Berger Report and the Interagency Arctic Research Policy Committee that was done under section 109 of Public Law 98–373, which we submit with our oral testimony.

Most of the findings in the Berger report and the United States Arctic Research Plan of 1987 are enough to martial all the forces to correct most of the problems and the present act of Congress, Public Law 99–239, Compacts of Free Association Act of 1985, be fully implemented by the indigenous tribal councils through a conference as designated in the Act, and bring the natural forms of governance based on human sovereignty and indigenous title into reality.

Senator Inouye, we stand here ready as sovereign indigenous women of the Arctic, along with many of our elders to assist the U.S. Government through your committee to make available the research and many hours of efforts that we have invested in the implementation of the Universal Declaration of Human Rights and the Covenants on Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, and the Declaration on the Elimination of Discrimination Against Women. We pray you will accept our documentation and request the inclusion into the written record of the committee the article called "The Sovereign Village of Tununak," Anchorage Daily News, May 21, 1989, along with written statements from my witnesses which document the storm trooper tactics of the Alaska State Troopers and the invasion of sovereign jurisdiction of the village of Tununak. We also request a full investigation by your committee in this and other such incidents that have occurred throughout Alaska.

Thank you very much.

The CHAIRMAN. I thank you very much. All your documents will be received and appropriately placed in the record.

[Prepared statement of Ms. Mills appears in the appendix.]

The CHAIRMAN. A few moments ago Senator Stevens told us about his participation in the commencement exercises of the class of 1989 of the Kotzebue High School, held on Friday evening, May 26. At that time, Senator Stevens gave the commencement address. The important aspect of this exercise was that there were 30 graduates and of the 30, 14 received the honors diploma and 6 of the graduates became members of the National Honor Society. This record is rather unique in the United States. I have yet to see a high percentage such as this in any other high school on the mainland or in Hawaii. So, without objection, this list of graduates and their parents will be made part of the record.

[Information appears in appendix.]

The CHAIRMAN. Our final panel consists of the following: Ms. Eleanor Booth, Director of Social Services; Ms. June Degnan of the Unalakleet and Anchorage area; John Tetpon of the Alaska Native Communications Society; Fred Bahr, President of the Indigenous Conservators of the Environment, Anchorage; and Mr. Bart Garber, Council Member, Native Village of Tyonek.

Senator MURKOWSKI. Mr. Chairman, sometime during the testimony of this last panel I am going to be leaving for Fairbanks. The last flight I can take is at 4:30, or thereabouts, and there are no other flights until 9. So Mr. John Moseman, my Administrative Assistant, will be accompanying you and the professional staff tomorrow.

The CHAIRMAN. I would like to thank you before you leave for participating in these important hearings. And I would also like to express my appreciation for the presence and participation of Senator Stevens, who, although not a member of this committee, spent much time with us. Senator Stevens regretfully had to leave because he will be playing some role in the wedding of former Governor Sheffield.

Senator MURKOWSKI. Mr. Chairman, I want to thank you for your commitment to hold this hearing and the travel that you made throughout bush Alaska. I don't know that we have anything equivalent to "aloha." We had something but it wasn't as catching—I think it was "Kaninya?" Some of my Eskimo friends out there ought to help me, but it would be Alaska Travel Division attempted to have something that corresponded with that, but as you can see by my communication, it didn't sell too well. But anyway, we're very, very appreciative of your commitment to our Native people.

The CHAIRMAN. "Kanangya" means "how y'all?" [Laughter.]

Senator MURKOWSKI. Okay. Thank you.

The CHAIRMAN. Ms. Booth.

STATEMENT OF ELEANOR BOOTH, DIRECTOR OF SOCIAL SERVICES, METLAKATLA INDIAN COMMUNITY

Ms. BOOTH. Mr. Chairman, members of the committee, my name is Eleanor Booth. I would like to thank you for this opportunity to testify before you today on the need to reinstate the Bureau of Indian Affairs General Assistance Program in Alaska.

The BIA is once again proposing to categorically exclude Alaska Natives from participation in the General Assistance Program. The proposal is found in BIA's appropriation package for fiscal year 1990, which reads as follows:

> No part of an appropriations to the Bureau of Indian Affairs shall be available to provide general assistance payments for Alaska Natives in the State of Alaska unless and until otherwise specifically provided for by Congress.

As an Alaska Native, I am upset by this language. There is no reason why we should be singled out and denied access to a program which is available to every other Native American. BIA's proposal is also upsetting to me as a Director of Social Services for my community. Prohibiting the use of General Assistance Program funds in Alaska aggravates the current social and economic problems of our rural communities by denying Alaska Natives assistance when they are most in need.

I have served as a Director of Social Services for the Metlakatla Indian Community for 18 years. During this time, I have administered, observed, and assisted people with many different Federal and State public assistance programs. Each program is designed to provide some medical or financial assistance to a specific population in need, such as single parent families, the disabled, and the elderly. Unfortunately, not all people in need fit neatly into these categories and, as a result, they fall between the cracks of the various programs. The BIA General Assistance Program was designed to keep these Native Americans who did not qualify for other assistance programs from falling into crisis.

In 1981, its last full year of operation in Alaska, approximately 3,400 Alaska Natives participated monthly in the General Assistance Program. For some of these participants in Metlakatla, receiving general assistance meant being able to obtain or to maintain for their families food, clothing, and shelter while their applications for assistance under other State programs were pending. For others, general assistance helped provide for these basic needs during that time when their seasonal earnings had run our and the canneries were still a few weeks away from opening. Prior to the termination of the program in 1982, many Alaska Natives relied on BIA General Assistance for their essential needs when such assistance was not available from other programs.

The BIA believes that general assistance is not necessary in Alaska because the State has a relief program which is available to all Alaskans and which provides for monthly minimum essential needs on a continuing basis. As someone who has experience with the State's relief program, I can assure you that it does not provide for an individual's or a families' monthly minimum essential needs.

The State of Alaska's general relief program is a temporary, need specific assistance program. Rather than providing for essential needs on a continuing basis, the program is set up to satisfy emergency needs only. According to the State's General Relief Program Manual, "It is important to remember that general relief assistance and general relief medical are emergency programs." As described in an 1982 letter from Helen Beirne, then Commissioner for Alaska's Department of Health and Social Services, to BIA General Assistance households:

> Alaska's State General Assistance Program is not like the BIA General Assistance Program. It is a very limited program which only helps people who are having an emergency problem such as someone who is being evicted from their home.

Nor is the State's emergency relief program a continuing program. An applicant for State assistance must apply for assistance each month. With each new application, the applicant must submit new proof of his or her financial emergency, such as an eviction notice from a landlord or a utility termination notice. And if the applicants' household—which includes all persons related by blood or by marriage to, and residing with, the applicant—has more than $500 in cash, savings, stocks or bonds, the applicant is automatically ineligible for assistance. This inflexible resource ceiling applies regardless of the size of the household.

Finally, the assistance provided under the State emergency relief program is significantly below the State established need standard. For example, the State of Alaska has established a need standard for a family of four—that is the minimum financial need for food, clothing, shelter, utilities, and household supplies—at $900. However, under the State emergency relief program, a needy family of four would be eligible for only $480 in vendor payments, not cash. If the family had as much as $501 in savings—$399 short of their acknowledged monthly minimum financial need—they would be ineligible nonetheless for any assistance under the State's emergency relief program.

It is clear to see that this is not a program designed to meet monthly minimum essential needs on a continuing basis. Nor is it in compliance with the Department's policy of providing general assistance for eligible Indians in a manner designed to promote personal and family unity and economic and social stability, working toward attainment of self-sufficiency. The State's program—which has been criticized for its restrictive eligibility criteria, low need standard, cumbersome application process, and the creditor's option to decline a general relief vendor payment—is simply not set up nor funded to assist people with their unmet needs.

The State program is also inadequate in that it ignores the unmet social needs of its participants. General assistance, as defined and administered by the BIA, encompasses a wide range of family and community services designed to address those unmet needs which may be causing or aggravating the financial need. For example, counseling on problems related to money management, economic opportunity, substance abuse, and the care of children are available to eligible persons. Unlike general assistance, the

State's emergency relief program addresses only the immediate unmet financial emergency of its participants.

I am not proposing the reinstatement of the BIA general assistance as the answer to all economic and social problems facing rural Alaska. A cash payment assistance program will certainly not provide rural communities with stable, self-sustaining economies nor will it provide jobs for the increasing number of young Native adults now entering the workforce. These problems require innovative solutions which will likely take several years to develop and implement. However, as we work toward providing stable economies and full employment in our communities for tomorrow, let us not forget those Alaska Natives who have to feed, cloth, and shelter themselves and their families today. For these people, I ask you to reinstate the BIA General Assistance Program in Alaska. I am not only speaking for my own community, I am speaking for the outlying areas in Alaska. I hope you will look into this.

Thank you.

The CHAIRMAN. Let me assure you that we are not only opposed to the BIA's position, the committee's position is to increase it and that comes with the support of the Alaskan delegation. And, further, as a member of the Appropriations Committee—I am the ranking member there—I will see to it that it does not happen.

Senator MURKOWSKI. If I may respond very briefly on behalf of Ms. Booth's testimony. I believe that the increase in the recommendation for general assistance is somewhere in excess of $8 million for Washington, Oregon, and Alaska. I assure you, with the commitment of the Senator from Hawaii as well as the support from Senator Stevens and others, that we feel quite confident that the benefits of that program can be resumed for the residents of Alaska. It is a very important program.

Thank you, Mr. Chairman.

The Chairman. Our next witness is June Degnan.

STATEMENT OF JUNE DEGNAN, UNALAKLEET AND ANCHORAGE

Ms. DEGNAN. Honorable Senator Inouye, Senator Murkowski, and staff.

I am first generation formally educated. Years ago you would have had my father here. He was Frank Degnan, the first Yupik/Eskimo territorial legislator. If he could hear what was heard and said today, he would know that we have the problems he did back when he was a representative.

I've travelled to many places in the world, lived in Haiti and Puerto Rico and Canada, and have seen all of the 48 states. I am a planner in economic development, a writer, and a teacher who cannot get hired in her hometown. Education is a political football. There are three of us—one with a juris doctorate, one with a masters degree, and I, a certified teacher—cannot get hired because of politics, because of poverty, and because of oppression. Alaska Natives are the most oppressed of people in America. I see that.

Poverty is fascinating to me. I have made it my study. Because poverty sucks—it takes away our spirituality. It is difficult. I recognize the other tribes in Alaska and we are each unique to where we live. I come from the Norton Sound area. I am a consultant now and what I am doing is AIDS education. Acquired immune deficiency syndrome.

The Native people of Alaska are the landowners, we are only cash poor. But we are oppressed. When I was born into this State there were 72,000 people here, and I am not that old. I also grew up when the signs said "No Natives Need Enter." Well, I'm half Irish and half Yupik/Eskimo, so I could go in any place I felt like it because I am a sovereign child at that time, a sovereign mother, and a sovereign teacher, and someone who will risk everything to speak of the oppression. That oppression is directed back to the leadership that we have in power now. So I write. I write editorials, essays, poetry, and I am documenting our oral history that comes from my region. I am also a Director of the Native corporation—1 out 15—so I am a minority vote because I am formally educated.

So for the record, and you can take back with you to Washington and it will go in a part of the record, just like my father went on record when he fought for our rights for this Claims Settlement Act, which would turn him over in the grave now because it is not what he intended for us to have, he never expected us to be Wall Street brokers, he believed in tribal sovereignty because he was a sovereign man. We had dignity and respect at that time. So what I've tried to do, and knowing when I called Washington that I would be granted five minutes and I will use those 5 minutes to try and summarize my feelings as a first generation formally educated Yupik/Eskimo, whose faith is Jewish, on what I see today—and I try to look at it hopefully because there is hope as long as there is life. I've read the position papers. I read a lot of papers and I write a lot of papers. It has been a year since we've been inundated by the series, "People in Peril." To date, no plans or changes have come about to alter that desperate status of our people. It appears that the Alaska Natives' plight is sensational enough to capture a Pulitzer Prize for the Anchorage Daily News. Yet, it must become more than just a prize winning expose, but a call for action. We can ill afford the pain and suffering brought on by oppression, apathy, economics, and ignorance.

There were those who would advocate another two year study of these problems. That would mean 730 more days of pain to be endured by those already overwhelmed by our neglect. It is time to say "No" to more studies and "Yes" to unite and combat this desperation by making decisions that would bring about changes through responsible and courageous leadership.

We live within a State that generates 85 percent of its revenues from the oil industry. That oil comes from my homeland, from the aboriginal people, these desperate and displaced Alaska Natives. We rank with the highest incidents of suicide, unemployment, school dropout, and we are also the largest population in jail. Socially, we as Natives rank at the bottom of the totem pole, as revealed in that Pulitzer Prize winning documentation. So, today, the Anchorage Times and the Daily News appear to be competing for another prize and this time it's going to be for "State in Peril."

Since we have collectively chosen to ignore the plight of my people, we have an even greater one in our midst. It came about on the eve of the 25th anniversary of the Great Earth Quake of Good

Friday. That oil spill will continue to haunt us into the future as it destroys the food chain of a once pristine Sound.

The lack of leadership has led us to the brink of destruction. Because of our greed and dependence on oil, we have compromised our future, our well-being, and our fishing grounds. The oil spill in the Prince Williams Sound can be compared to the AIDs epidemic that is terrorizing our Nation today. No one knows the extent of the destruction in either situation, but we are certain it will impact on each of our lives in some way.

Alaska, our homeland, is a storehouse of wealth. It has precious minerals, oil, gold, and timber. To date, we have scared the tundra and polluted the fishing grounds in the name of progress. We did it because we all want the good life. We mainline on oil. We must all share the blame, since no one is exempt.

After the fact of the oil spill, the attorneys will walk away with most of the money for the clean-up, just as they did in the Claims Act, because they are the vultures who clean-up. They benefit from our pain. And yet, as citizens, we must demand a monitoring system for the pipeline and for the transportation of oil. The State must fund a system that has the power and control to prevent further disasters. We cannot trust businesses to police themselves. They are in business for profit. And today we found out, that profit at any cost. Furthermore, my aboriginal people must have a real chance to survive within our homeland. More studies and more excuses aren't necessary. We need jobs. We need opportunity. And we need to be free from that oppression that holds us down—that oppression that we're so oppressed by that we cannot see it because we don't have a frame of reference and we're too far removed to see it.

Alaska can only be strong and diligent as those we elect to represent us. The pulse of the Nation is judged by the leadership. Responsible leadership lies with those we elect and policing them is our responsibility as voters.

We live in a beautiful State and we can keep it that was with careful planning and responsible development. That choice is ours. As citizens of Alaska, we will demand responsible action from the Governor, the legislature, those businesses that rip us off, and from Congress. It is time to stop waltzing to the 85 percent oil revenue excuse that we keep making and show some leadership. If we don't, our State will become just another dumping ground in the name of progress.

All of this ties in because Alaskans, and what you're hearing here are not just isolated from the State. Until we get respectful leadership from our State government, we will not progress anywhere. This State has to clean up its act and treat my people with dignity and respect, and also hire us as teachers. Until we can become self-determined and look at our own and accept those of us who are educated, we are not going anywhere. Those of us who became educated have sacrificed everything to learn and yet we respect the spirituality of being who we are.

At this time, I would like to submit this to you for the record. I thank you for hearing me out.

[Prepared statement of Ms. Degnan appears in the appendix.]

The CHAIRMAN. Your papers will be made part of the record. I thank you very much for your participation. As far as your employment as a school teacher is concerned, as you know, I cannot impose my will upon the tribal council or the State government. I hope you understand that.

Ms. DEGNAN. I understand that, but it had to be heard.

The CHAIRMAN. Our next witness is Mr. John Tetpon, Alaska Native Communications Society.

STATEMENT OF JOHN F. TETPON, ALASKA NATIVE COMMUNICATIONS SOCIETY

Mr. TETPON. Senator Daniel Inouye, members of the committee. With your permission, I merely made the call to Mr. Bob Arnold to get 5 minutes in front of the committee not really intending to be a person who was going to speak for the Native Communications Society. If it is okay with you, I would like to——

The CHAIRMAN. You may speak as Mr. John Tetpon, private citizen, if you wish.

Mr. TETPON. All right. I am a member of the Alaska Native Communications Society. It is a Society made up of representatives from radio and print media throughout the State. The purpose of the Alaska Native Communications Society is to promote and represent the interests and involvement of Alaska Natives in newspapers, radio, and television. Because our numbers in the media are so few, we often find that our views about issues important to us are either badly presented or not at all.

The voice of Alaska Natives is not often heard on hunting and fishing rights, for example. If we had the resources, we would be able to tell the world about how we as Alaska Native people have subsisted for centuries and how we have managed our fish and game over the years so that our children will continue to be able to hunt and fish like our forefathers did.

We have a system of game management that works. We only get what we need and leave the rest. We are not wasteful nor do we hunt and fish for the mere sport of it. We, for example, do not subscribe to notions of catching and releasing fish because it is against our teachings. I do not feel the rest of Alaska knows that, nor will it know it until we are able to substantially influence what the general public sees and reads.

We are a people who have no other place to call home. This is it. Yet we have so little to say in the medica about what happens here. In my opinion, Alaska Native people have not said enough about how the Exxon oil spill will affect them. There are not enough opinion-makers in our midst. I think part of the reason for that is because Alaska Native people are not as used to dealing with the media as a forum to be used. The media is still something from the white world. We need to change that.

Alaska is, as I'm sure you know, a big State. There are thousands of miles of coastline and millions of acres of land. There are 200 villages with 60,000 people and each has access to radio and television. Sadly, little, if any, programming is developed that is relevant to them. We watch Miami Vice and People's Court. We watch NBC, ABC, and CBS. We even watch CNN out in the villages. If we are real lucky, we might catch a second or two of news that is about us, or about issues important to us.

Most of the time, news about us is told by someone who wasn't born here. It is a bitter-sweet experience to hear about dog-musher Herbert Nayokpuk from Shishmaref, for example, reported by a newscaster who can't even pronounce the name or the village he is from. The need for more Native people in the media is not just an Alaska problem—it exists nation-wide. Currently there are only about a half a dozen Native Americans working as reporters in daily papers across the country. Here in Alaska, I am the only Alaska Native reporter working for a major daily.

The industry knows it needs to change that and it is trying. But the real push for change must come from those of us in the trenches. We need to take the lead and say what needs to be said. We need to let the world know that we have something to say. But we are in need of the resources to be able to say it.

Thank you.

The CHAIRMAN. I think your point is very valid because if you can't communicate your concerns effectively, it will be a long time before results are coming. Thank you, sir.

Our next witness is the President of the Indigenous Conservators of the Environment, Mr. Fred Bahr.

STATEMENT OF FRED BAHR, PRESIDENT, INDIGENOUS CONSERVATORS OF THE ENVIRONMENT, ANCHORAGE, AK

Mr. BAHR. Mr. Chairman, the honorable Daniel Inouye, distinguished members of the U.S. Senate Select Committee on Indian Affairs, guests, Alaska Natives. My name is Fred Bahr. I am the President of ICE, Indigenous Conservators of the Environment.

"As a result of the *Exxon Valdez* oil spill, 10,000 to 20,000 sea otters have died and the number is rising daily. We are just seeing the first ripple of the effects of the oil spill on marine mammals. This will go on for years. It is a global disaster." as stated by T.A. Gornall, III, foremost expert veterinarian commissioned by the Presidential Marine Mammals Commission. Whereas Mr. Jim Styers, Superintendent of the Seward Sea Otter Center, employed by Exxon, states and confirms 700 sea otters have died to date. Reports of nightly burial and/or burning of dead sea otters on secluded islands have been given to our office, as have reports of VECO clean-up employees and others throwing garbage bags full of otter carcasses overboard on the way into port. The Marine Mammals Protection Act prohibits wanton waste of mammals and the decimation of a species.

Hundreds of sea otters are dying daily not only from the acute stages of oil contamination but also from the chronic affects of eating oil contaminated toxic seafoods. This causes internal damage fatal to the mammals livers and kidneys. A slow, painful death follows. The death toll continues.

Ron Britton, expert sea otter handler from the Endangered Species California area office, stated, "Fish and Wildlife has targeted saving 15 percent of the sea otter population impacted by the oil-spill." The 1/2 percent, or less, that is currently being retrieved—8 weeks after the oil spill—falls far short of the targeted 15 percent.

To save only 15 percent is negligent and 1/2 percent is criminal. The current effort is unacceptable.

Authorized catcher boats are already being released from the rescue effort because Exxon wants everyone to believe that the sea otter emergency has passed. We received word on May 23 that the Seward Otter Center may shut down in 1 month. Jim Styers states, "the rescue effort is phasing out." I.C.E. is totally against reducing the sea otter rescue operation while the situation is escalating.

I.C.E.'s purpose is to preserve, protect, and enhance marine line and to promote Alaska Native rights and interests in environmental issues. We must be prepared with an Alaska Native Emergency Response Team trained in all phases of sea otter capture and rehabilitation techniques in the event of other spills. The United States Fish and Wildlife Service entered into an agreement with I.C.E. to train Alaska Natives as an Emergency Response Team on May 1. To date I.C.E. has worked in cooperation with Fish and Wildlife Service to train 12 volunteers. We need to train many more.

I.C.E. has a program that is working successfully, yet we have received no funding. Our trainees at sea risk their lives daily and are the only ones out of thousands not being paid. Our office help and supplies have all been donated, but I.C.E. must find a way to pay our Alaska Natives. They cannot afford to volunteer. Alaska Natives in the program all have families, rent, mortgages, and bills, the same as everyone else, except that many of us have lost our subsistence way of life. Alaska Natives also have the highest unemployment rate in the State.

The oil spill has been a disaster because the sea has always been our garden and now it is becoming a desert.

I.C.E. has received calls from many of the villages impacted by the oil spill who want to work but cannot afford to volunteer. Some of our volunteers have quit jobs to train because they see an Emergency Response Team and the saving of our marine mammals as really important. But they, too, cannot afford to volunteer.

I.C.E. respectfully asks that the Senate Select Committee on Indian Affairs and our Alaska congressional delegation work together to help us to access emergency funding available, as this is a very time-sensitive issue. We request your full support and immediate action to direct appropriate Federal funds to be made available directly to those most impacted, the Alaska Natives, in response to losing their traditional way of life for years to come.

All tribal governments and/or organizations impacted should have the same access to Federal emergency funding sources as other local governments in the State. Your support in helping us access the 311-K funds through the Clean Water Act and/or the Superfund, or any other Federal funds that could be made available on an emergency basis, is essential. If this committee would work with us to help identify a liaison to work with I.C.E. directly, or other tribal organizations, who has the authority to cut through red tape and the contacts to expedite these emergency funds, then the policy of the Marine Mammals Protection Act could be fulfilled. We have the right to harvest these marine mammals but with proper funding we can help to save them.

I would like to take a moment to specially thank Mr. Walter Stieglitz, Regional Director of the U.S. Fish and Wildlife Service, and Chief Keith Bayha, Agent in charge of Operation Sea Otter Rescue, for their full support and guidance in helping to develop a qualified Emergency Response Team made up of Alaska Natives. I also want to thank the many volunteers who have supported I.C.E. in accomplishing these goals.

Your full support can ensure the success of Alaska Natives working with the Federal Government in a positive manner to help save our sea otters.

In conclusion, these otters belong to all of us. To wipe out one species affects the whole balance of a sensitive ecosystem. None of us wants to see whole populations die.

I thank you for your time and I pray that you will listen and help us.

The CHAIRMAN. As you may know, I will be spending most of the day of tomorrow in the Native villages of Chenega and Tatitlek to further pursue this matter. I will be conveying your application for funding to the proper authorities.

Mr. BAHR. May I also include here that this oil spill has now hit below Kodiak Island, so Port Graham, Port Lyons, Kodiak itself, a about eight or nine more villages that are directly affected. They've been told not to eat anything from the ocean. It is kind of like losing your grocery store all of a sudden—one day you have it and the next day you don't. This is going to go on for years. This is not a one year situation.

I thank you again for your time.

The CHAIRMAN. Thank you.

Our final witness is Mr. Bart Garber, Member of the Council of the Native Village of Tyonek.

STATEMENT OF BART GARBER, COUNCIL MEMBER, NATIVE VILLAGE OF TYONEK

Mr. GARBER. Thank you Senator Inouye, and thank you for the opportunity to speak here today. My name is Bart Garber. I am a member of the Native village of Tyonek and a staff attorney for the Native American Rights Fund. My remarks today are my own or, where attributed, those of the Native village of Tyonek, for whom I serve as a Member of the Tribal Council, and not those of our village clients around the State. Some of my comments also concern activities I began while I served as a professor and Director of the Alaska Native Program at the University of Alaska in Fairbanks.

Tyonek is a Athabascan village on the west side of Cook Inlet, with a population between 200 and 300, depending on the time of year, and enrollment of more than 300. It is in excess of 95 to 99 percent Dena'Ina Athabascans.

The matters of which you are concerned with on this committee in terms of suicide, unemployment rates, economic development, the oil spill are not alien to us. But my comments will be narrower than that. Indeed, I would like to take the opportunity to at least credit my village—with an unemployment rate of 80 percent, they are presently taking subsistence Kings and are contributing upwards of 10 percent of their catch to the Native villages of English

Bay and Port Graham since they can't take fish. We can and ours are clean.

My comments today, however, address the AFN report on "The Status of Alaska Natives—A Call for Action" and fall into two areas of concern—the need to develop an accurate and complete record before attempting any significant policy changes in Alaska Native programs, and the need to remain sensitive to the needs of Native population resident in Alaska villages when balancing their interests against those Natives who move away.

The first point is more a matter of notice. It is something that I was interested in. I do concur that we shouldn't take too exorbitant a period of time to study these matters which are of immediate concern. I can testify to that based on my own village's experience. However, a rich opportunity is available to you to supplement the Native program policy data base, if you will, in the form of the 1990 United States decennial census. For the first time, one out of two households in rural Alaska will be asked to respond to the census questionnaire versus one in six in the past. Done well, the 1990 census could result in the most representative demographic profile of Alaska Natives yet produced. Standard and special tabulations of this data will be invaluable in assessing the objective situation of Alaska Natives in areas such as age and sex, households and families, marital status, fertility and mortality, migration, education, labor force participation, occupation, and income and poverty. Indeed, what we believe is the first comprehensive monograph of the demographic history of Alaska Natives just now nears completion. I might add, however, that your most valuable contributors will be Native people as you've heard today, and I do recommend that you continue these hearings to acquire more of that information.

In terms of this monograph, Doctor Michael Leadman, a small population demographer at the Bureau of Census—and I might add for your interest, he is an expert in South Pacific populations and that's where he does most of his work—and myself, with the help of the State of Alaska, the College of Liberal Arts at the University of Alaska-Fairbanks, and the Bureau of Census have worked for over a year, and Michael has been on and off this project for over three years, and we have nearly completed a final draft monograph which is presently being reviewed. The monograph covers demographic change among Alaska Natives from the first decennial census in 1880 to the most recent 1980 census. The monograph is intended to provide a broad overview of the demographic, social, and economic situation of Alaska Natives in Alaska rather than a detailed analysis of any one issue or community. I believe it will be invaluable to your effort in determining future policy for Alaska Natives.

Data for 1990 census can easily be incorporated into and compared with the data in the historical monograph. Special tabulations and more particular indicators and intra-census surveys, such as, for instances, subsistence activity—since data on subsistence are not collected in State questionnaires, they are collected, however, in territories and possessions so that examples are available—would contribute even more information critical to matters before your committee. I would suggest that if that type of special census surveys are called for that money might be made available to the Bureau together with Native organizations in the State to conduct those surveys.

To the more important matters, however, that I wanted to talk about—Village residents and their communities. The AFN report includes preliminary findings and recommendations based upon research by the Institute of Social and Economic Research. The Native village of Tyonek concurs with some of the particular and some of the broader observations but beg to differ with other critical inferences which could be drawn from the findings and recommendations. Although the number of Natives residing in urban areas continues to increase, the majority of Alaska Natives will remain in the villages. This is our experience and one which will require a continued emphasis on the needs of Natives residing in those villages.

We differ with the broader inference the AFN study gives credence to that but for the plethora of government assistance in rural areas, Natives would be moving to urban areas in droves and that village economies are buoyed by an artificially high level of Federal and State aid, which in the long run is not sustainable. We know there are more substantial personal, family, and cultural reasons why Natives remain in their communities or desire to do so.

Second, the level of State and Federal aid to communities should not be the main criteria for determining which economies are "sustainable" and, by extension, where most people should live. Based on these criteria, the committee could be forced to expand its mission and consider why every urban and rural community in Alaska, with the exception of North Slope, Kenaika, Tyonek-Buloga areas, those communities with petroleum resources, should not relocate to Los Angeles. In a State where both the Federal and State governments have opted to retain, and I believe properly so, large blocks of public land, redistribution of government proceeds from those properties to local communities has been and will continue to be a fact of life.

We agree that much work remains to facilitate self-help in villages and to improve mechanisms for rural Natives, their families and communities to influence and guide social and economic change in their communities. This will require, however, significant adjustments in present policy. For example, the Alaska Native Claims Settlement Act emphasized a settlement scheme based on individual rights and as some originally commented—not today, but historically—the right to travel. Since its passage demographic trends together with the fact that Native corporations are largely controlled by a diminishing number of Natives who happened to be alive in 1971 has left land use and tenure decisions in the hands of Natives who more and more live outside the village. Realignment of land ownership in the villages and renewed emphasis on local regulation must be supported by Federal policy, otherwise people actually residing in the villages won't have a whole lot to say about what happens in their local areas.

Native residents of rural villages demand more flexibility in determining the appropriate relationship between tribal governments and ANCSA corporations. We have embarked on cooperative plans for economic development and local service delivery in Tyonek. We have growing number of relationships between our tribal government and our local borough together with our local village corporation. The social engineering experiments, however, of distant bureaucrats are not much appreciated in a community like Tyonek, where our eighth recorded traditional Chief only died in the late 1950's and where our reorganized tribal council has delivered most local services and managed thousands of acres of land around the village from 1939 to the present.

The Native village of Tyonek supports the efforts of this committee to adjust Federal policies to better meet the realistic goals and expectations of Native people. We hope this work does not merely result in flipping the proverbial Indian policy pancake without any meaningful change in the batter. We do not need a rehashed urban relocation program. We can use innovative programs to meet the needs of Alaska Natives who voluntarily chose to live in the village or move to the city or, as more normally is the case, those who move back and forth.

I thank you for this opportunity. I hope that you have some concluding comments, Senator, because traditionally the last place is left for our elders and I'm not exactly that yet. [Laughter.]

[Prepared statement of Mr. Garber appears in the appendix.]

The **CHAIRMAN**. You did very well, sir. I believe Albert Kaloa——

Mr. **GARBER**. He's my uncle and he raised me.

The **CHAIRMAN**. In his blood flows the blood of proud Hawaiians and the Athabascan people. He was a member of your village.

Mr. **GARBER**. I plead guilty. I am the eldest grandchild of that family and Albert raised me.

The **CHAIRMAN**. We are happy to know that we Hawaiians did something to help you. [Laughter.]

As I stated when this meeting was called to order, much as I would like to remain here throughout the evening, I have prior commitments to keep and other meetings to attend. Therefore, I will have to adjourn at this point. But I would like to advise all of you who wish to testify that the record will be kept open for two weeks and during that time if you wish you may submit your written statements. I can assure you those statements will be made part of the record.

For the record, I have been advised that the following had wished to testify this afternoon: Helen Belio, Gordon Pulah, Linda Henrikson, Gary Harrison, Perry Mendenhal, Juliet Hartwick, Mr. Frank of Hydaburg, and Hank Protrosky. Are there any others who want their names for the record?

Yes, your name?

Mr. **NAKIUP**. My name is Alan Nakiup.

Mr. **KATCHATAG**. My name is Stanton Katchatag. I am the Chairperson for Western Alaska Tribal Council.

Mr. **ALEXANDER**. My name is Clarence Alexander. I am the Chairman of the Council of Athabascan Tribal Governments.

Ms. **SALLEE**. I am Jaclyn Sallee. I am also a member of the Alaska Native Communications Society.

Mr. **OWENS**. I am Philip Owens. I am with Alaska Native Cultural Arts Exchange.

The **CHAIRMAN**. So that we won't make any mistakes, will you tell the clerk the proper spelling of all your names.

Mr. **Warren**. My name is Ed Warren. I serve with the Alaska Native Coalition for Chilkat Indian Village.

Mr. **Nanwok**. Caleb Nanwok.

Mr. **Frost**. My name is Paul Frost, Alaska Native.

Mr. **Jacobson**. Desa Jacobson, Alaska Native.

The **Chairman**. If you will mail your statements to the following address: Select Committee on Indian Affairs, United States Senate, Washington, D.C. 20510. On the envelope, attention: Alaska Hearings.

[Prepared statements not read and given to the committee appear in the appendix.]

With that, I would like to thank all of you for patiently sitting by and listening to your brothers and sisters testify today. I would like to thank all of you who participated in these hearings and to assure you that your words are very important and will be seriously considered. I suppose the test would be results. I am a firm believer in results. You will get results. Thank you very much.

[Whereupon, at 5:27 p.m., the committee adjourned, to reconvene at the call of the chair.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

TESTIMONY OF

MITCH DEMIENTIEFF

President

TANANA CHIEFS CONFERENCE, INC.

Hearing Before

SELECT COMMITTEE ON INDIAN AFFAIRS

U.S. SENATE

on

THE STATUS OF ALASKA NATIVES

MAY 27, 1989

Anchorage, Alaska

Mr. Chairman, Members of the Committee. My name is Mitch Demientieff. I am President of the Tanana Chiefs Conference, a regional Native non-profit corporation serving 43 villages within the Interior of Alaska. I wish to think the Committee for its time and effort in coming to Alaska to investigate the status of Alaska Natives. As you may know, the terms of the Alaska Native Claims Act required the Department of the Interior to conduct an inquiry into the status of the Alaska Natives and report to Congress in 1985. That report was completed but never transmitted to Congress because of the concern within the Department that the study would support the need to fully implement the general federal policies regarding Indians in Alaska. We wish to thank the Committee for taking the time to investigate the status of Alaska Natives in light of the failure of the Department in fulfilling its statutory duty.

Alaska Natives, in general, share many concerns with our brothers and sisters in the Lower '48. We are concerned about our land and the preservation of our hunting and fishing rights, which in Alaska we refer to as subsistence. We are concerned about battling alcohol and drug abuse because it is a major cause of death among Alaskan Natives and destruction of Alaska Native families. We are concerned about the preservation of our tribal governments, customs and traditions to provide for social order within Native society and to reflect our unique history and culture. We are concerned about the education of our children, which is needed if they are to compete in an increasingly technological world. And we are concerned about the preservation of Native religion and preserving and protecting religious freedom for our people.

There are many people who would argue that Alaska Natives are different, and we would agree in the sense that there are major differences between all Indian people. Just as the Apachee differ from the Navajo and Navahoe differ from the Seminole, so Alaska Natives - whether they are Yupik, Athabascan, Tlingit, or

Inupiat - differ from the tribes of the Lower '48 and from each other. We share, however, the common fact that we are the original occupants of this land, with a culture, language, and identity which we wish to preserve. We are similar in the sense that we want to protect our land, or at least that which we have been able to retain, and we are the same as other Native Americans in our desire to preserve our culture and lifestyles from assimilation into the European immigrant culture.

Alaska became part of the United States under the Treaty of Cession between the United States and Russia. In the treaty, the United States guaranteed that the tribes of Alaska would be treated in the same manner as tribes in the Lower '48. We believe that the current policy of self determination for Native Americans, is appropriate and should be applied to Alaska in the same manner as it is applied in the Lower '48. What follows in our testimony, are specific recommendations to the committee on how to implement that policy.

ALASKA NATIVE REVIEW COMMISSION

The recent proposal to establish an Alaska Native Review Policy Commission raises a number of concerns. It is commonly stated that federal policy toward Alaska Natives is unclear and needs to be developed. We believe that the policy is clear, but the implementation has not been consistent. In 1971, President's Nixon's Indian policy statement set the stage for our current National policy of Indian Self-Determination. Alaska Natives were specifically included within that policy. In implementing this policy, Congress passed the Indian Self-Determination Act which authorized tribes to directly contract for the provision of services to Indian people provided by the federal government. Again, Alaska Native tribes were specifically included within the terms of the statute. Since 1972, Congress has enacted numerous law which specifically included Alaska Natives within the tribal self-determination policies of the United States. The most recent amendments to ANCSA, declared that Alaska Natives would continue to participate in all Native American programs on the same basis as tribes in the Lower '48.

Congress has repeatedly stated that the general federal policy of Indian Self-Determination extends to Alaska Natives and that Alaska Natives will be treated as the Lower '48 Indian tribes. This policy fulfills the treaty obligations of the United States contained in the Treaty of Cession and is a condition under which the U.S. acquired dominion over Alaska from Russia in 1867. Generally, this policy, if implemented, is beneficial to Alaska Native people in their effort to perpetuate their culture and national identity. The problem, therefore, is not to develop a new policy, but to merely insure that the policies respecting Indians in the Lower '48 are implemented in Alaska.

For many people, the Alaska Native Claims Settlement Act confuses the situation. ANCSA, however, only addresses corporate economic self-determination, and the ANCSA corporations are recognized as a vehicle to implement that corporate economic self-determination. The tribes and tribal organizations continue as the prime vehicles for political self-determination serving Native health, social, cultural, subsistence, housing, education, economic development and intergovernmental concerns. In Alaska, a federal-tribal intergovernmental cooperative scheme has evolved to implement Native self-determination in the same manner as in the Lower '48. Tribes and tribal organizations serve as the vehicle for most federal programs in Alaska. We believe that this federal-tribal intergovernmental cooperative scheme which operates throughout the United States should continue in Alaska. Obviously, oversight is needed to ensure that the policy is properly implemented in Alaska. However, it is not clear that a special commission with policy review function is needed to accomplish this more limited need.

If a commission is authorized, however, we have two specific concerns regarding the commission's composition and scope of inquiry. The composition of the commission should have bona fide Native representatives on it. Native spokespersons should not be appointed by the State or federal government. Each region in the state should be represented. Since the ANCSA corporate concerns have been largely addressed in the recent ANCSA amendments, the regional tribal organizations should establish their own internal means of appointing tribal representation on the commission. The Native tribal representation should be equal to the combined state and federal representation to promote cooperation rather than domination. And finally, there should not be a "public at large" representative. If anything at all, the commission should reflect the government-to-government quality of the special federal relationship to Native Americans. Non-governmental representation is not appropriate in such a context and demeans the status of Alaskan Natives.

Our second area of concern is the scope of inquiry of the commission. In 1980, Congress enacted Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) to establish protection for subsistence use of fish and game by Native people. The legislation was based upon Congress' promise to protect Native subsistence contained in the legislative history of ANCSA. The law represents a compromise between Congress' promise to protect Native subsistence and the State's desire to manage game in a manner which does not distinguish between Native and non-Native users. While the system is not perfect, the law as currently written represents a sound compromise and good conservation management. Alaskan Natives continue to stand by their word, and we expect the State to do likewise. Therefore, we do not think it necessary to reopen subsistence to policy review.

ALCOHOL AND DRUG ABUSE

In 1986, Tanana Chiefs Conference declared war on drug and alcohol abuse. We believe that the best way to fight this battle is by having Native people do it themselves. An example of this is the traditional healing camp we established in our region. The camp is patterned after a traditional Athabascan fish camp, and looks to the land to focus our people on their needs. Traditional counselors are used to guide people caught in the grip of drug and alcohol dependency. In its first year of operation it has shown positive results.

Some of our villages have adopted tribal ordinances banning or regulating alcohol in their villages. Local tribal courts enforce the ordinances, relying on the federal justice system for support. Local tribal enforcement represents true community condemnation and uses community pressures in a positive manner to combat drug and alcohol abuse. In these villages, community consciousness about alcohol has grown greatly, and widespread abuse has been reduced. While the U.S. Justice Department has expressed its willingness to provide back-up enforcement, the Interior Department has imposed delays of one-and two years on publishing tribal liquor ordinances in the federal register as required by federal law.

We encourage those and similar efforts which rely upon and promote Native self-reliance, and we request federal cooperation with these efforts.

EDUCATION

The earliest federal policies toward Alaska Natives were directed toward education. Before the Bureau of Indian Affairs became involved in Alaska, the Office of Education was the primary federal agency dealing with Alaska Natives. When the BIA assumed primacy over Native Affairs, a major thrust of the Bureau's

Alaska mission was Native education. Beginning in the 1970's, the BIA began to retreat from direct education services, and a policy promoting transfer of village BIA day school services to the State began. The federal presence has continued in the form of federal support for Native education, however, under the State system Native self-determination in education became less of a policy priority. The local REAA system emerged as an adjustment to provide for local control in education.

The transfer of Native education functions to the State, was completed at the height of Alaskan oil wealth, and the long term viability of state responsibility for Native education was not addressed. The Alaskan economy is characterized by boom and bust, and Alaskan state and local government revenues have dramatically fluctuated. There is a real concern that over time, the State may not be capable of meeting its responsibility. Federal support for Native education is a significant portion of education funding, and the current problems in Native education can and should be addressed by the Native people through the current educational infrastructure. Nevertheless, there are two areas of concern which Congress and the State should address.

First, the federal policy of Native self-determination should be reflected in all federal support for Native education. Currently only a portion of such funding is subject to self-determination policies. Such self-determination is necessary in all federal support programs affecting Natives to assure that Native priorities in education are met.

Second, the federal/state and Native governments should cooperate to develop minimum standards in Native education programming. At such time that the State cannot meet those obligations, the federal government should reassert its residual primacy in Native education. This adjustment should be embodied in a State-federal-Tribal compact on education to assure that the federal government not abandon Native education.

TRIBAL GOVERNMENT

Over time, federal policy toward Indians has fluctuated between assimilation and protection of Indian identity. Assimilation, by definition, seeks to destroy the identity of Native people as a people. Since the 1970's, the policy of assimilation and termination has been repudiated by the United States, and the enhancement of Native political, social and cultural identify has been federal policy. Self-determination of Indian people is the only guarantee that Native American political, cultural and social institutions will continue. The cornerstone of that policy, is the recognition of Native tribal government and the strengthening of trial processes. That policy is working in the Lower '48 states and is working in Alaska, despite confusing implementation of that policy in Alaska. We believe that tribal government should be strengthened in Alaska, and that without it, Native people are at risk of loosing their identity. There are many things which may be done to clarify this policy.

Probably the most critical area regarding tribal government is the issue of recognition. From the Treaty of Cession to ANCSA and the recent array of federal legislation, Congress has recognized Indian tribes in Alaska. Whether a particular tribe has been recognized or not is still controversial. In the recent decision of the Ninth Circuit Court of Appeals in Native Village of Noatak v. Hoffman, the court held that villages recognized in ANCSA were Congressionally recognized tribes. The State has requested reconsideration, but the opinion certainly represents a fairly widely held view of Alaska Natives.

The federal acknowledgement process established under Interior Department regulations was intended to clarify such issues administratively. In 1983, the Department published a list of federally recognized tribes which contained Alaskan tribes. Originally, the list contained almost all of the villages recognized under the Alaska Native Claims Settlement Act and those other entities which had been organized under federal statute (Indian Reorganization Act, and Tlingit-Haida Settlement Act). Last year the Department published a new list, which also included ANCSA profit corporations which are clearly not recognized tribes. We believe that this latter list was published in a conscious effort to confuse the issue of tribal recognition in Alaska. The entities listed on the latest list was an attempt by the Department to confuse its prior actions as merely recognizing those entities which the Bureau of Indian Affairs provides "services" in Alaska. This is quite contrary to the FAP process as outlined in the regulations, which is intended to clarify legal status of tribes which are formally recognized by the Department of the Interior. This action tended to undermine the entire FAP process.

It is important to remember that the special relationship between the United States Government and Indian tribes is a political relationship. The programs and services provided to Alaska Natives is a reflection of the special relationship which flows out of the tribal status enjoyed by Indian people under the laws of the United States. The confusion over tribal status created by the BIA, needs to be reclarified. We would propose legislation to name the tribes of Alaska which are recognized by the United States and resolve this controversy once and for all. We would propose that those villages and groups recognized under the Alaska Native Claims Settlement Act and such other groups confederated or organized under federal law (the Indian Reorganization Act or Tlingit-Haida Settlement Act) are the tribes of Alaska and should be recognized as such by Congress in order to avoid future efforts to confuse the issue.

A second major issue which needs clarification in Alaska is the question of Indian country. Under existing federal statute, Indian country is comprised of Native allotments, reservations, and "dependent Indian communities". There are approximately 10,000 formal Native allotments (15,000 parcels) in Alaska. Each

Native allotment is comprised of between 120 and 180 acres. We estimate that there is approximately 1.2 to 1.8 million acres of Indian country in Alaska relying only on the Native allotments definition of Indian country. Additionally, there are several thousand restricted Native townsite lots within the State which have been determined by the courts to fall within the legal definitions of allotment. These lands would also be Indian country. It is very obvious that a substantial amount of Indian country exists in Alaska by statute.

Additionally, a Department of the Interior Solicitors Opinion, held that certain Native villages in Alaska constitute Indian country for the purposes of the Federal Indian Liquor Laws as dependent Indian communities. There are a large number of Native communities, in rural Alaska, which are predominately Native, having a traditional form of government, and generally meeting the criteria of dependent Indian communities. We believe that these communities would also be Indian country. Finally, there is 44,000,000 acres of Native owned land within the state, title to which was confirmed under the Alaska Native Claims Settlement Act and is owned by either Native corporations organized under the Act or have subsequently been conveyed to tribal governments. We believe that in a large number of cases these lands would also be Indian country despite the fact that they are not contained within reservations.

Despite the fact that Native allotments exist in Alaska and Interior Departments Solicitors Opinions holding certain villages to constitute dependent Indian communities, the Department has recently taken the position that the existence of Indian country in Alaska is unresolved. In letters to tribes reorganizing under the Indian Reorganization Act, the Department of the Interior has raised a substantial question as to whether or not Indian country exists in Alaska. Once again the Department of the Interior is attempting to reopen and create confusion, regarding a fundamental issue of Indian law in Alaska.

We would request that the Committee investigate this issue and take corrective action to clarify the existence and extent of Indian country in Alaska. We believe that Indian country is necessary in order for tribes to exercise their governing authority. So long as the boundaries of Indian country in Alaska remain clouded in uncertainty, or the Department of the Interior continues to promote confusion in the area, law and social order within Indian country in Alaska will continue to be a problem.

Another area of concern relates to tribal courts and law enforcement efforts by the tribes. At the current time, a number of tribes have organized tribal courts and appointed tribal police to deal with alcohol regulation, Indian Child Welfare matters, and minor law and order issues within the village. The BIA, in many cases, has refused to extend programs designed to assist tribes in Alaska on the same basis as such programs exist in other states. Despite repeated requests by the tribes for such assistance, the BIA has steadfastly refused. Nevertheless, the tribes are attempting on their own and with the assistance of regional Native non-profits to develop a judicial and law enforcement capacity at the local level to provide order within their communities. We believe that the committee should look into this matter and direct the Department to provide assistance to Alaska Native tribes on the same basis as tribes in the Lower '48 receive technical assistance, support and training for tribal court and law enforcement services.

RELIGIOUS FREEDOM

Religious freedom is a founding principal of this country. It is a remarkable fact of life in that in Alaska the religious practices of the Athabascan people are actively suppressed. Of particular concern is the prosecution of Alaska Natives with regards to fish and game violations, when such game is harvested for religious ceremonies.

Traditionally, the Athabascan people conduct a potlatch when a person dies. The potlatch is divided into two parts. The first is the death potlatch, which must be conducted within a very short time after the death of a Native person. The death potlatch is a rather simple potlatch, whose chief characteristic is a communal feast. The feast has been characterized by Father Lyons, (a Jusuit priest), as a "communion with the dead". It is the last meal between the deceased and his loved ones. The second part of the potlatch occurs usually within two years. More commonly, this portion of the potlatch is much more elaborate, involving gift giving, the giving away of the decedents property and a last memorial to the decedent. It is at this time, that the family surrenders the spirit of the individual to "the place that we do not know". It is the belief of many Athabascans that until the memorial portion of the potlatch, that the soul of the decedent remains with us and is released at this time. Again, the major component of this portion of the potlatch is a communal feast.

It is important that the communal feast in both the death and the memorial parts of the potlatch have traditional Native foods - in particular, fresh moose meat. Other fresh game is also required. Unfortunately, the fish and game laws and regulations in the State of Alaska do not adequately reflect the need for fish and game in these religious ceremonies, and it is not uncommon that Native people are harassed by State Fish and Game enforcement officials in the practice of their religion while gathering traditional foods for these potlatches. In 1979, the Alaska Supreme Court held that Native people enjoyed a religious exemption in the gathering of game for the potlatch. The case, Frank v. State, has been very narrowly construed by the State officials to only apply to the death portion of the potlatch and persons engaged in gathering fish and game for the memorial portion of the potlatch have recently been prosecuted and harassed by state officials.

Often the State argues that Natives have notice of the memorial potlatch, and have no need to harvest out of season. This is simply wrong. For example, some memorial potlatches must take place at certain times of the year, such as the Stick Dances of Nulato and Kaltag. In these villages the memorial potlatch must take place in April or March, before the ice on the Yukon River goes out. The stick must be placed on the river ice. As the stick goes out with the ice, it symbolizes the departure of the spirit from the world of man. Similarly, other memorial potlatches must be fixed according to time for special reasons. For example, the death of a man in Tanana during a cultural celebration known as the Nutchelawya was required to be held during the following Nutchelawya. Finally, it is generally inappropriate to hold memorial potlatches during hunting season, since the potlatch would interfere with normal subsistence activities. Some villages have attempted to do this with great hardship to the village since people could not participate in the hunting season to meet their families normal nutritional needs.

The harvest of moose for religious purposes is rather insignificant, from a conservation stand point. In a number of studies, the Alaska State Department of Fish and Game has found that the harvest of potlatch moose was insignificant in the overall game management of the area.

We believe that the state ought to be required to ensure that Indians engaged in religious practices should be protected from state prosecutions and believe that federal legislation is needed to assure such protection.

NATIVE LANDS

In 1971, ANCSA was enacted to settle the aboriginal land claims of the tribes of Alaska. Rather than conveying lands under the settlement to Native tribes, Congress provided for the conveyance of lands to corporations established under the terms of ANCSA.

Since 1971, a substantial portion of Native villages have expressed the desire to convey settlement lands to the tribal governments. The transfer is sought because of the greater land protections which tribes enjoy under the terms of the Indian Reoganization Act and the Indian Non-Intercourse Act. Additionally, tribal ownership of lands would provide for greater coordination in village policy between the tribal governments and land managers. At the current time the Native corporations are governed by boards of directors, which may or may not also serve on the tribal councils. Such institutional proliferation, can and has created needless conflicts within villages which are unrelated to any substantive disagreements. In 1987, Congress amended ANCSA in order to provide greater protections for Alaska Native lands. One of the issues which arose at that time was the reconveyance of lands to tribal entities. Those provisions failed to be enacted by Congress.

Some villages such as Birch Creek, Arctic Village/Venetie and Kipnuk, have proceeded under existing State law to transfer land from their ANCSA corporations to their tribes. In all three cases, such conveyances were done with 100% approval by the corporate shareholders. Under the current state law reconveyance virtually requires such unanimous because of minority shareholder rights and procedural requirements of State law. We would request that this committee revisit those tribal concerns which were not addressed in the 1991 amendments in order to allow villages the option to retribalize their lands.

There have also been a number of other problems relating to the management of Alaska Native allotments. Prior to the settlement of Alaska Native land claims, individual Natives were eligible to receive allotments held in restricted status. These lands had slowly been conveyed to Native allottees, in many cases. In a series of legislation Congress has attempted to expedite the conveyance of these Native allotments to the allottees and having increasingly been frustrated in such attempts by the State of

Alaska and the Bureau of Land Management. We would request that this Committee look into three problem areas.

In some cases the Bureau of Land Management has conveyed lands claimed by a Native allottee to a Native corporation formed under the Alaska Native Claims Settlement Act or to other third parties. The BLM, in many cases, has been unable to recover title to these lands in order to convey them to the rightful Native allottee. In many cases the Bureau of Land Management has expressed the desire for the Native corporation or the third party to return title to the BLM through a deed. In these requests the Bureau of Land Management has expected the third parties to assume the cost of title recovery for the Bureau of Land Management. In other cases, third parties have made substantial improvements on the lands which they have received from the Bureau of Land Management in good faith. We would request that this Committee investigate the problem of title recovery of Native allotments wrongfully conveyed by the Bureau of Land Management to ANCSA corporations and third parties with the intent of adopting legislation which would provide for expedited procedures for title recovery and in-lieu settlement of allottees claims where title may not be recovered because of substantial improvements made in good faith by third parties.

In some cases, the Bureau of Land Management is attempting to deny valid claims brought by descendents of original occupants of Native lands who have died prior to filing an allotment claim. The period for filing claims under the Alaska Native Allotment Act terminated in 1971, however, in some cases allottees based their claim upon ancestral use of lands rather than their individual use of land. For example, a Native person may have claimed a parcel of land which was used and occupied by his/her parents as a homestead but cannot show individual use. We would hope that the Committee would look into the matter and adopt legislation to allow allottees to prove their claim by ancestral use of allotment land.

Finally, in many cases allotment claims overlap. At the current time, boundary adjustments may only occur by adjudication of the BLM. Often claimants are able to negotiate a settlement to a boundary dispute. In these cases the BLM has expressed the opinion that the negotiated settlements will not be acceptable. We believe that where if a boundary dispute between allotment claimants exists and the claimants can reach agreement as to the boundary lines of the allotments, the BLM ought to be required to accept the negotiated boundary line. We would request that the Committee investigate this matter and to adopt legislation to provide for negotiated boundary adjustments of allotments in Alaska.

CONCLUSION

Again I wish to express my thanks to the Committee for its interest in Alaska Native Affairs and would urge the Committee to take action to address these concerns.

PREPARED STATEMENT OF CALEB PUNGOWIYI

Good morning. My name is Caleb Pungowiyi. I am President of Kawerak Incorporated. Kawerak is the Native regional non-profit corporation which provides social, cultural, educational and employment services to the villages of the Bering Straits Region. I would like to thank the members of the Senate Select Committee on Indian Affairs for this opportunity to testify on the AFN report "A Call for Action".

I agree with individuals who previously testified when they stated that if anything, the AFN report understates the problems existing today in rural Alaska.

I am speaking to the Alaska Natives in this room who grew up in a village. Think about it. How many adults in your home community between the ages of 25-50 don't have an alcohol or substance abuse problem?

Alcohol abuse is the major problem facing Alaska Natives today. In order to address the problem we need to attack it on two fronts: 1) we need to work with individuals, families and communities to alleviate substance abuse problems; and 2) we need to prevent future problems.

Nationally and especially here in Alaska, there is a need for strengthening alcohol and drug abuse prevention education in schools. It could be entitled "Just Look Around". All the kids need to do is seriously examine within their own communities the physical, social, mental and economic consequences of substance abuse. I don't think the extent of the problem should be whitewashed by looking at situations outside the local context.

I urge this committee to use its influence to make available direct funding to communities to address alcohol and substance abuse. A good program model is the State funded Suicide Prevention Grant Program. In this program, funding is made available to communities as opposed to human service providers. From what I've seen, Suicide Prevention Grants (including the application process) have served as a catalyst in rural Alaska, a point of reference around which an entire community can coalesce to address some of the very pressing problems facing us. The funding ideally should go to communities. Village residents tend to view alcohol and substance abuse as resulting from social factors as opposed to a clinical problem. The solutions they propose are likely to be social in nature. It is the communities themselves and not outside service providers, who know best the type of "social solutions" which can be most effective in combating the serious problems that exist.

Key to preventing substance abuse is a positive sense of self worth. This can be provided through an educational curriculum within school systems. Such a "Native Awareness" curriculum should be incorporated into the basic curriculum. Currently it's treated as a special program outside the scope of basic education.

For too many years, Alaska Natives have been treated as though they're "not good enough". Our history, our culture, our language, our hunting skills, all are not "good enough" to be incorporated into the western school system. Our traditional form of government is not "good" or valid enough to be accorded any recognition by the State. Our traditional beliefs have all but been wiped out by religious groups intent on substituting their own beliefs for our own. It's human nature that, if told long and hard enough, anyone would begin to believe that they're not good enough either. I certainly think many of our young people have fallen prey to this societal stereotype.

This is a two fold problem. It's a problem in that many Alaska Natives have begun to believe it. It's a problem because western society is rarely willing to incorporate anything which is Alaska Native in origin into the larger society. I think change needs to occur across the board.

There is a need to pass legislation which would allow qualified Native individuals to receive preference when applying for jobs to teach in predominantly Native School Districts. In the past, Native preference was available in BIA operated schools. When these schools were transferred to the State of Alaska, we lost that preference opportunity. We've been telling our young people to go get an education so they can come back and teach. Yet when they do we're not hiring them because someone else is "more optimally" qualified - often an out-of-state resident. They come in, stay for two to four years, and leave. This is serious problem especially in the rural schools. Our children are not benefitting from this constant turnover. I would imagine that Native American Communities in the lower 48 have the same problem.

There is a need for additional economic development planning, financing and projects. As long as Native people are unable to adequately support themselves and their families, we will continue to see the incredible social problems associated with dependency. It is ridiculous that individuals interested in obtaining financing from the BIA Revolving Loan Fund, must first be turned down by two regular banks. It just about guarantees that the funding will not be put to the highest and best use. Alaska Native Regional Corporations can help rural Alaska develop by insisting on shareholder hire in projects and by working with their regional non-profits to train shareholders for employment in economic development ventures. However our Regional Corporations cannot solve the current economic development problems by themselves and should not be expected to do so.

Another way to create jobs in rural Alaska is to modify federal legislation to allow rural residents to utilize naturally occuring resources as the basis for economic development, specifically marine mammals. These are non-endangered, non-threatened renewable natural resources. In western Alaska, the reason people initially settled in this area was because of the abundance of these resources. But Alaska Natives are prohibited from utilizing marine mammals as the basis of an industry except for limited traditional cottage industries. As an example the walrus population is very high, yet we cannot harvest them for other than traditional use.

The US Fish and Wildlife Service recently proposed to restrict the use of sea otter pelts in traditional Native handicrafts sold to non-Natives. We could perhaps understand restricting the taking of sea otters if they were in any way threatened or endangered. However, this is not the case. The Marine Mammal Protection Act specifically states under the Native exemption that Marine Mammals can be taken for 1) subsistence purposes or 2) the purpose of creating and selling authentic Native articles of handicrafts and clothing. I urge this committee to intervene in the regulation development process to insure that the regulations do not unfairly infringe on our ability to hunt and utilize Marine Mammals as granted in the Marine Mammal Protection Act.

One problem I see which is not mentioned in the AFN report and which I think is relevent to the social problems we're presently experiencing in rural Alaska, is the skewed sex demographics. In most of the villages in the Bering Straits Region, the male/female ratio of individuals between the ages of 20-44 is very unbalanced. In most communities there are 1.5 males in this age group for every female. What we think is happening is that Alaska Native females in many instances are leaving the smaller rural communities, going to either the subregional or urban centers to go to school, find work, get married, whatever. Females often are able to pick up the skills they need to enter the job market. Young men after they graduate from high school, often don't have the skills necessary to find employment even in the village. Men remain in the village because they often don't have the skills to land a job in the more urban communities.

The other point I'd like to make regarding our young men, is that they are increasingly losing their role in society. Men traditionally were the hunters. In many communities, subsistence though still essential, is not as important as it once was. Cash is becoming ever more important and in the process, because many young men are unable to find employment, they are losing their role in society.

It is this portion of the population around which many of the severe social problems revolve. The violence, suicides, child sexual abuse, alcohol abuse . . . I don't know what the answer is here other than we need to provide our young men with the skills necessary to enter the local job market. We need to think about long term solutions.

Programs cost money. I would like to offer some suggestions on how funding presently allocated for the benefit of Native Americans can be more efficiently utilized.

Under PL 93-638, even though the tribes and tribal contractors have contracted for a large percentage of direct services and the Bureau budget in Alaska has substantially decreased, the number of Bureau of Indian Affairs staff has not decreased. It's the perception of tribes and tribal contractors that BIA staff have simply been converted from direct service personnel into program specialists and contract oversight personnel or transferred from agency to area payroll - which is not the intent of PL 93-638. I recommend that a thorough review be conducted of BIA to determine where cost savings can be initiated and where or how funding can and should be reallocated so that local communities benefit more directly.

The BIA budgeting system needs to be modified so that tribes and/or tribal contractors have input into the entire BIA budget, including the agency component, the area and field budgets, banded and unbanded dollars and central office. Right now, tribes and tribal contractors only have input into the agency budgets, which comprises a very small portion of the overall BIA budget. In order to effect change, Tribes must have input into the budget process at all levels of the BIA. The tribes' inability to provide input into the BIA budget has resulted in a huge federal bureaucracy. It is not a tribal priority to have a huge federal bureaucracy, yet because of our inability to provide meaningful input into the budget process, this situation exists today.

Tribes have not been included in the BIA budget process for non-IPS programs. In many cases, those funds not on the band are treated as discretionary in that the Bureau does not perceive a need to report back to the tribes or tribal contractors where the funding was spent, what the outputs were or to even solicit their input on needs and how the money should be spent. Yet every dollar which is allocated to the BIA is for the benefit of tribes. By placing funds in a non-IPS or non agency category the Bureau in effect, removes the control of the funds from the people who best know what the needs are. I recommend that all BIA funds be placed on the band so that tribes are afforded an opportunity to provide input and direction.

The BIA budget system needs to be modified so that Tribes and tribal contractors are notified promptly when funds are available for contracting. BIA Area staff should be required to notify agencies, tribes and tribal contractors of all funds which are (even potentially) available for contracting. Tribes and Tribal contractors often do not hear about available funding until well into the fiscal year. There are areas where the Bureau perceives it has the right to spend the money when in fact it may also be contractable by contractors. A prime example is the Training and Technical Assistance Program. Contractors and tribes often don't hear about the availability of funds until much of it has been spent by Area staff in areas the tribes may not agree are priority.

To facilitate tribal input, BIA should establish area wide IPS committees to oversee and approve the area budget. Ideally, two representatives from each Agency Advisory committee would be selected (by the members of the agency committee) to serve on the area IPS committee. Two representatives could more effectvely represent their agency interests. Also by staggering the representatives' terms, it would ensure committee and budget continuity.

The BIAM manual states that programs may be added to or deleted from the IPS based on central office administrative decisions or legislative directives and that the tribes or tribal contractors cannot appeal actions taken. We recommend that this provision be modified so that the programs cannot be removed simply by administrative decision. This provision gives too much discretion to the Assistant Secretary. He can and has removed programs which are of extreme importance to Indian people. It was through this provision that the 104a grants were removed from the band. It places tribes in the position of having to go to Congress to get the funds reinstated, because of action by the very agency whose purpose is to protect Indian rights and interests.

Another problem which needs to be addressed is the lack of "moral support" if you will, concerning BIA's position on the status of tribes in Alaska. Anyone who has spent much time in Alaska is aware that BIA is silent when it comes to advocating on behalf of the Alaska tribes. They sit quietly as the State of Alaska does everything possible to negate the tribal governing authority of the federally recognized tribes. Of particular concern to the tribes is the State's reluctance to fully implement the provisions of the Indian Child Welfare Act.

I urge this committee to support the tribal governing status of our IRA and Traditional Councils. Councils provide Alaska Natives with an avenue for true local control: a tool to reassert control over their lives, their communities, and our mutual descinies. The importance of tribal government issues as they relate to the social and economic problems discussed above can not and should not be overlooked. Our communities have not only an inherent right to govern themselves, they have an inherent need to do so. This need can not be divorced from programs aimed at alleviating the social and economic malaise affecting Alaska Natives. "Allowing" our communities to exercise local control through existing state institutions (as the State of Alaska proposes) will not alleviate our real needs or concerns. Congress must take a more active role in this area and soon, if efforts made and dollars spent in other areas are going to have any real and lasting benefit.

In closing, I would like to thank this committee for the opportunity to testify. I look forward to the day when these type of special hearings (to discuss the problems affecting Alaska Natives) will no longer be needed.

Numbers of Males and Females between the ages of 20-44 within the Bering Straits Region

	Males	Females
Brevig Mission	34	24
Diomede	31	22
Elim	47	38
Gambell	109	76
Golovin	13	27
Koyuk	42	35
Nome	580	500
Savoonga	105	86
Shaktoolik	36	37
Shishmaref	70	66
Stebbins	48	50
St. Michael	43	44
Teller	49	25
Unalakleet	169	131
Wales	29	16
White Mountain	29	24
Totals	1,434	1,201

This information was developed by applying the percentages from the 1980 Census of males and females within these age groups against the 1984 Department of Community and Regional Affairs estimated population figures.

KAWERAK, INC.
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SERVING THE VILLAGES OF:

BREVIG MISSION
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DIOMEDE
ELIM
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GOLOVIN
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SAVOONGA
SHAKTOOLIK
SHISHMAREF
SOLOMON
STEBBINS
ST. MICHAEL
TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

March 24, 1989

Mr. George Walters
Acting Area Director
Juneau Area Office
Bureau of Indian Affairs
PO Box 3-8000
Juneau, Ak 99802-1219

Certified Mail #: P964142792
Return Receipt Requested

Dear Mr. Walters:

Per the Freedom of Information Act, we would like to request information from the Juneau Area Office of the Bureau of Indian Affairs.

We would like responses to the following questions:

1) How much funding, banded and unbanded, has been allocated or appropriated in FY 89 to Juneau Area Office to provide Training and Technical Assistance?

2) How much funding was carried over from FY 88 into FY 89 and placed in a Training and Technical Assistance budget category?

3) How much is allocated for expenditure by the agencies?

4) How much is allocated for expenditure by the Area Office?

5) How much is allocated for expenditure by tribes or tribal organizations?

6) In detail by category (Area, Agency, & Tribe) and line item, what is the total T & TA funding being spent on and how is it benefitting tribes and tribal organizations?

We would appreciate a timely response to the questions raised above.

Sincerely,

KAWERAK INCORPORATED

Caleb Pungowiyi

Caleb Pungowiyi
President

INDIAN PRIORITY SYSTEM

PROGRAM POLICY GUIDELINES

TRIBE/AGENCY

PROGRAM: Self-Determination Services - Training and Technical Assistance — **IPS Code:** 27

AUTHORITY: 25 USC 450, P.L. 93-638 and 25 USC 13 (The Snyder Act of 1921)

Valid Program Functions:

Training and technical assistance is provided as prescribed by P. L. 93-638 to assist tribes to assume an ever increasing control of Bureau programs, services and functions through contracting under the Act.

Technical assistance is provided to:

(1) Enable tribes to avoid or overcome declination issues related to contract applications; and

(2) to ensure satisfactory performance of contract or grant requirments to prevent suspension, termination or reassumption by the Bureau of contracted programs or grants.

Technical assistance is also provided to address urgent, one-time operational needs or problems of tribes. The program also provides funds for the Bureau staff necessary to administer the self-determination program at the field levels.

Training is provided to tribal staff in such areas as financial managment, personnel, property control and other management systems. Training and orientation are also provided to newly elected tribal officials regarding tribal responsibilities and the procedures for taking advantages of opportunities offered under P.L. 93-638. In addition, Bureau staff receive training and orientation relative to the purpose of the Act and the regulatory provisions to ensure proper administration and oversight of contracts and grants.

Improper Program Functions:

Training and technical assistance is restricted to those activities described in P. L. 93-638 and 25 CFR, Part 271 regulations. That is, activities or functions which assist tribes to contract and/or to satisfactorily perform under contract agreements. Training and technical assistance may not be provided for economic or business development projects. Tribes may contract natural resource development and can receive T/TA for contract performance.

Self-Determination Services - Training and Technical Assistance (Continued)

Parameters for Funding:

P.L. 93-638 requires the Bureau to provide technical assistance to tribes to overcome declination issues related to contract applications and assistance to tribes for contract performance to prevent termination or reassumption of contracts by the Bureau. The provision of training and technical assistance is provided at the request of tribes.

In FY 1987 the Bureau will improve its technical assistance to tribes and provide such assistance in a more timely manner. To accomplish this end, a field staff training plan has been developed and is scheduled for implementation this fiscal year (FY 1985). This will improve the quality of training and technical assistance but more importantly such assistance will be offered to tribes as the need for such assistance arises or is identified. That is, Bureau field staff will assist tribes to improve contract and grant applications as well as to provide timely assistance for contract and grant performance as the need is identified through monitoring and evaluation.

Parameters for Staffing:

Bureau staff, primarily 638 Coordinators and Agency personnel, provide the majority of technical assistance to the 480 tribes eligible for such assistance. In addition training and technical assistance is provided by other Federal and/or non-Federal sources. This includes the Office of Personnel Management, Department of Agriculture and technical assistance provided under contracts with private firms in such areas as accounting management systems, and related management functions.

Program Contractibility:

Since this program funds Bureau activities which "support" P.L. 93-638 contracting, it can not be separately contracted by tribes exercising P.L. 93-638 perogatives. However, one-time technical assistance funding can be provided to tribes, at the discretion of the Bureau, to obtain needed assistance. A tribe may direct hire a person or subcontract with a third party, with approval, to provide needed assistance.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Juneau Area Office
P. O. Box 3-8000
Juneau, Alaska 99802

IN REPLY REFER TO:
BUDGET MANAGEMENT
[illegible]

APR 25 1989

April 21, 1989

Mr. Caleb Pungowiyi, President
Kawerak, Inc.
P. O. Box 948
Nome, Alaska 99762

Dear Mr. Pungowiyi:

We have your March 24, 1989 letter in which you asked several questions pertaining to Training and Technical Assistance funds within the Juneau Area. We will attempt to answer those questions as clearly and forthright as possible.

1. How much funding, banded and unbanded, has been allocated or appropriated in Fiscal Year 1989 to the Juneau Area Office to provide Training and Technical Assistance?

   RESPONSE: The total allocation for the Juneau Area for Fiscal Year 1989 is $1,229,800 (see attached Exhibit I). All the funds are "Banded" dollars.

2. How much funding was carried over from Fiscal Year 1988 into Fiscal Year 1989, and placed in a Training and Technical Assistance budget category?

   RESPONSE: The funds for Technical Assistance are appropriated on an annual basis. This means that we are allowed to use these Technical Assistance funds during the fiscal year in which they were appropriated, and we are not allowed to carry these Technical Assistance funds over from one fiscal year to the next.

   Status of Fiscal Year 1988 Funds: Based on our final Fiscal Year 1988 official reports, we overspent our Technical Assistance allocations by $6,011 Area-wide.

3. How much is allocated for expenditure by the Agencies?

   RESPONSE: The total allocation for all the Agencies within the Juneau Area is $450,400 (see attached Exhibit I). Exhibit I also shows the allocation for each Agency.

4. How much is allocated for expenditure by the Area Office?

RESPONSE: The allocation for the Juneau Area Office is $779,400 (see attached Exhibits I and II).

5. How much is allocated for expenditure by Tribes or Tribal organizations?

RESPONSE: Please refer to the response under Question No. 6.

6. In detail, by category (Area, Agency, and Tribe) and line item, what is the total Training and Technical Assistance being spent on and how is it benefitting Tribes and Tribal organizations?

RESPONSE: Area Office: The breakdown of the Area Office Technical Assistance funds is shown on Exhibit II, with explanations at each level. You will note that $69,500 was placed with the Area Director for the express purpose of being able to assist some of the Native clients to be able to attend P.L. 93-638 Amendment meetings, if no other funding were able to be identified. The P.L. 93-638 Contracts and Grants Section provides technical assistance, both directly and indirectly, through P.L. 93-638 Contract negotiations, processing P.L. 93-638 Contracts and/or Modifications and 104(a) Grants, and disseminating technical information.

Agencies: All the Agencies have authorized permanent positions under the Technical Assistance Program, although all positions are not filled at the present time. These permanent positions work in close proximity with the Tribes or Tribal organizations to provide technical assistance, either directly or indirectly. Also, funds at the Agency level, if available, have been used, upon Tribal request, to provide direct technical assistance through services of outside sources.

In summary, we are attempting to utilize the Technical Assistance funds for the greatest overall benefit, either directly or indirectly, to the Tribes and Tribal organizations.

If you have any further questions, we will be happy to respond.

Sincerely,

George A. Walters
Acting Area Director

Attachments:
Exhibit I
Exhibit II

EXHIBIT I

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
AREA-WIDE TECHNICAL ASSISTANCE FUNDS
FISCAL YEAR 1989

LOCATION		F.Y. 1989 ALLOCATIONS
E00-01	JUNEAU AREA OFFICE	779,400
AGENCIES:		
E01-01	ANCHORAGE AGENCY	100,600
E02-01	BETHEL AGENCY	121,400
E03-01	FAIRBANKS AGENCY	83,900
E04-01	NOME AGENCY	69,500
E09-01	SOUTHEAST AGENCY	75,000
	AGENCIES SUBTOTAL	450,400
	AREA OFFICE AND AGENCIES TOTAL	1,229,800

DELORES E. GRAVER
CHIEF, BRANCH OF BUDGET MANAGEMENT
04/21/89

EXHIBIT II

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA OFFICE
TECHNICAL ASSISTANCE FUNDS
FISCAL YEAR 1989

LOCATION	F.Y. 1989 ALLOCATION
E00-01 JUNEAU AREA OFFICE....................................	779,400
LESS F.Y. 1989 REPROGRAMMINGS TO AGENCIES:..................	- 216,200

1. 150,000 FAIRBANKS AGENCY - TANANA CHIEFS CONFERENCE, INC. (TRIBAL OPERATIONS)
2. 50,000 ANCHORAGE AGENCY - ADULT VOCATIONAL TRAINING
3. 16,200 SOUTHEAST AGENCY - CENTRAL COUNCIL OF THE TLINGIT AND HAIDA INDIANS OF ALASKA (SOCIAL SERVICES)

216,200 THESE FUNDS HAD TO BE REPROGRAMMED AS A RESULT OF AN ERROR WHEN CENTRAL OFFICE RESTORED THE $12.4 MILLION CUT IN F.Y. 1987. CENTRAL OFFICE HAD RESTORED THE ABOVE FUNDS TO THE AREA OFFICE, WHEN THEY SHOULD HAVE GONE DIRECTLY TO THE AGENCIES.

BALANCE............. 563,200

LESS. F.Y. 1989 REPROGRAMMINGS WITHIN AREA OFFICE:........... - 84,000

1. 74,000 JUNEAU AREA OFFICE - BRANCH OF TRIBAL OPERATIONS
2. 10,000 JUNEAU AREA OFFICE - BRANCH OF SOCIAL SERVICES

84,000 SINCE ENROLLMENT IS NO. 1 PRIORITY IN THE JUNEAU AREA BECAUSE OF INDIAN HEALTH REQUIREMENTS, 74,000 WAS NEEDED TO ENABLE RECRUITMENT FOR THE POSITION OF ENROLLMENT COORDINATOR; SOCIAL SERVICES' PREVIOUS BUDGETS HAD BEEN CUT TO "BARE BONES", AND THIS PROVIDED THEM SOME ASSISTANCE.

BALANCE............. 479,200*

*REALLOCATED AS FOLLOWS:

1. AREA DIRECTOR:	2. DIRECTOR, DIVISION OF ADMIN. SERVICES:	3. DIRECTOR, DIVISION OF NATIVE SERVICES:
69.5 - 7.5 1/ 62.0	284.7 BUDGET FOR P.L.93-638 CONTRACTS AND GRANTS SECTION	125.0 BUDGET FOR DIRECTOR AND SECRETARY.

1/ FUNDS ALREADY EXPENDED ON PARTICIPANTS AT FIRST P.L. 93-638 CONTRACT AMENDMENT MEETING IN ANCHORAGE. BALANCE OF FUNDS AVAILABLE FOR FUTURE P.L. 93-638 CONTRACT AMENDMENT MEETINGS.

DELORES E. GRAVER
CHIEF, BRANCH OF BUDGET MANAGEMENT
04/21/89

KAWERAK, INC.
P.O. BOX 948 • NOME, ALASKA 99762
(907) 443-5231

SERVING THE
VILLAGES OF:

BREVIG MISSION
COUNCIL
DIOMEDE
ELIM
GAMBELL
GOLOVIN
KOYUK
NOME
SAVOONGA
SHAKTOOLIK
SHISHMAREF
SOLOMON
STEBBINS
ST. MICHAEL
TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

RESOLUTION 89-16
of the Governing Body of
KAWERAK, INC.

A RESOLUTION CALLING FOR THE AFFIRMATIVE ACTION PROVISIONS for the Hiring of Alaska Native Educators.

WHEREAS, the State of Alaska sees the need for more Native professionals to work in their schools; and

WHEREAS, the state Universities and colleges have endeavored to attract and train competent Native educational professionals to work in Alaska's schools; and

WHEREAS, Native organizations, parents, and Elders have encouraged their graduating high school youth to become "teachers" so that they can teach in their own region/community; and

WHEREAS, school boards and educational committees have produced local high school graduates to go on to colleges and universities to become "professionals", so that they can serve their commuinity from whence they came, in a profession they have chosen, especially as educators; and

WHEREAS, some districts have enacted policy to train Natives to become educators, especially Lower Kuskowkwin School District to meet Affirmative Action requirements; and

WHEREAS, Nome Public School district has a 76% Native enrollment and 6% Native professional hire, and Bering Straits School District has about 85% Native enrollment and about 13% Native professional hire; and

WHEREAS, there is a need for Native students to have more of their own people as professional role models in their schools; and

WHEREAS, there is a need for school district policy and contract language to state "Affirmative action provisions" which would encourage the ratio of Native professional hires comparable to the community's population, especially Alaska Natives; and

NOW THEREFORE BE IT RESOLVED, that Kawerak, Inc. urges Bering Straits School District and Nome Public School District, and other educational institutions, to include in both their school district policy and contract language "affirmative action provisions" which would encourage the ratio of Native professional educational hires comparable to the community's population.

CHAIRMAN OF THE BOARD

Emily Hughes
BOARD SECRETARY

Passed the 25 day of May, 1989 at a duly convened meeting of the Kawerak Board of Directors, held at Nome, Alaska.

PREPARED STATEMENT OF ELIZABETH LeBLANC

CALISTA CORPORATION

LAND AND NATURAL RESOURCES DEPARTMENT

TESTIMONY BEFORE THE

U.S. SENATE SELECT COMMITTEE

ON INDIAN AFFAIRS

May 27, 1989

OVERSIGHT HEARING IN ALASKA

ON THE AFN REPORT

My name is Elisabeth LeBlanc. I am the Plans Director for the Land Dept. of Calista Corporation. My work has required that I travel to villages throughout the Calista region, consequently, I am quite familiar with the culture and lifestyle of the people of the Calista Region.

I would like to thank you for the opportunity to speak today at these hearings. I would also like to thank Senator Inouye for having taken the time on his last trip to Alaska to visit the villages of Chevak and St. Mary's so that he could see firsthand what life in a village in the Calista region is like. His interest and concern for the people of the Calista region is greatly appreciated.

In November of last year, the Land Dept. began to prepare a report on the social and economic problems in the Calista region. Copies of the final report, The Calista Region: A Gentle People and Harsh Life were given to Senator Inouye and his staff in March 1989. The report documents the extreme conditions and circumstances that village residents experience daily. The report's findings clearly indicate that no other region in Alaska experiences the same level of social, health and economic problems and adversity as is found in the Calista region. Further compounding the difficulty associated with a harsh lifestyle is the fact that the Yupik people are in a state of transition.

Sadly, the problems the people are facing aren't going away; if anything, they are exacerbating. In fact, in the short period of time since Calista Corporation began working on this report, there have been more suicides in the region, of which one was the 15 year old nephew of the landplanner who until recently worked with me, and the other was the 17 year old brother of one of Calista Corporation's Board of Directors. These aren't the suicides of anonymous people in a big city; they are individuals known by all in their village and relatives of people whom I know and work with.

In addition to the suicides, we have had two murders and a suicide in the village of Alakanuk. Again, it's only three people, but this is a village of approximately 550 people which has already lost a large percentage of the young adults to suicide in the last year and a half.

What pushed these individuals to suicide and murder is not really known. In some cases, it was alcohol and for others it could have been a feeling of hopelessness or the stress caused by trying to find a place in a culture which is undergoing dramatic social and cultural change. What we do know, however, is that people in our region are under a terrific amount of pressure to simply survive in today's modern world.

In Alaska, the Calista region is notoriously known for having the highest unemployment rates and the lowest per capita income of any region in the state. But this really isn't surprising because the Calista region is totally undeveloped and has no major economic activities such as timber, mining or oil exploration or high value fishery to spur the local village economies. In many villages, the unemployment rate is between 80 and 90% during the winter, although it may fall to 60 or 70% during the summer. In light of the high unemployment rates, it is not surprising to find that the Calista region is also ranked as the region with the lowest per capita income. In 1986, the per capita income for Alaska was $18,378, whereas the per capita income for the Calista region was $9,887 which was 46% below the state's average. And of the income received by local residents, 31% is usually from transfer payments such as aid to families of dependent children, social security and general assistance. The remaining income usually comes from commercial fishing or the few part-time government funded jobs in the villages such as community health aid, headstart teacher or postal clerk. So as you can see, the people in the Calista region are very dependent, either directly or indirectly, on state and federal assistance for their survival.

Of the major problem areas, health and social problems in the Calista region have been addressed by state and federal agencies on an on-going basis, albeit with limited success, but little assistance has been provided in terms of solving the region's economic crisis. We feel that by improving the economic climate and the quality of life in the region, many of the social and health problems which now exist would be lessened. Without some form of economic development in the region, it will be necessary to continue providing large infusions of state and federal monies to subsidize existing programs so that the present level of services can be maintained.

With the exception of the occasional community construction project, there has been little economic development in the Calista region. Since its inception, Calista Corporation has tried to promote economic development in the region either by operating business enterprises or by supporting legislation and activities which encourage economic development in rural Alaska. Unfortunately, Calista's business ventures in the region have largely failed due to the extremely high costs associated with doing business in Bush Alaska, which can only be likened to doing business in a Third World country. Just to name a few, we have seen a fisheries business fail because we couldn't compete due to high transportation costs and being far from the world markets; our wholesale distributorship failed because some villages couldn't afford to pay their bills after they purchased goods; and again, we couldn't compete with the large suppliers in Anchorage and Seattle because of high overhead and transportation costs involved with transporting small quantities of goods to an extremely rural area.

Furthermore, we are precluded from investing in expensive development activities such as oil and gas exploration because the corporation simply cannot afford to risk spending millions of dollars looking for mineral deposits or oil and gas reserves on the corporation's land. Although it is believed that there are major mineral deposits in the Calista region, the capital and data necessary for the exploration and development of these resources is simply not available, consequently, the region remains static with respect to economic development.

ANCSA was passed with the intent to give Alaska Natives a cash and land settlement which could be used to provide an opportunity for Alaska Natives to compete with the non-Native population and to raise their standard of living. Congress partially based the size of the settlement on the extreme poverty and underprivileged status of Alaska Natives and recogniztion that there was a need for adequate resources if Alaska Natives were to help themselves economically. Unfortunately, the economic opportunities that the cash settlement was to have provided never materialized, especially in the Calista region. Had the economic climate in Alaska remained fairly constant, this intent might have been accomplished.

Nobody predicted, nor could they have predicted, that the state's and nation's economy would change as dramatically as it did in the 1970's. It was impossible to predict that this country would go through its worst inflationary years during this time and Alaska would experience the biggest boom ever when the Trans-Alaska Pipeline was constructed. Furthermore, it was impossible to predict that oil would go from below $5 per barrel to $40 per barrel providing the state of Alaska with an incredible infusion of cash in a short period of time which would be used to build multi-million dollar facilities in Anchorage, provided school loanr to students and home loans to just about anyone wanting to buy a house in an urban community.

The buying power and the window of opportunity that was thought to be available to Native corporations as a result of the $962 million quickly shrank or dried up. The inflationary measures associated with pipeline construction and North Slope development also ate into the Native corporation buying power.

The nationwide inflation; the infusion of outside capital; the creation of wealth from Alaska oil; the meteoric expansion of state government and the rapid decline of the Native corporation buying power all played their part in guaranteeing that the Native community would not have adequate resources to fulfill the expectations of Congress with respect to ANCSA. In the end, the Native corporations were not in a position to compete as well as had been expected with the non-Native community, nor were they able to take the same position in the economic circles in Alaska that they might otherwise have taken without the unexpected change in the state's economic conditions.

Although improvement in the living standards for Alaska Natives has been made in recent years, ANCSA has made a relatively minor contribution. It was mainly federal and state monies that were used to fund social programs and capital improvements in the villages for health clinics, sewer and water systems and housing. Instead, most of the Native corporations, in particular the village corporations, have used a large portion of their cash settlement simply to implement ANCSA. Over the years, substantial amounts of money have also been spent by the regional corporations on legal fees for ANCSA associated litigation, in particular, on clarification of 7(i) revenue sharing, conveyance issues and enrollment/eligibility provisions of ANCSA. Little of the money from the settlement has been available to promote economic development.

In terms of the individual Alaska Native, the impact of the actual cash settlement has been minor as well. At-large shareholders received about $6,500 in dividends over the course of the Alaska Native fund distributions and those enrolled to the village corporations received about $400 over the same period of time. Considering Alaska's high cost of living and inflation, these amounts were insignificant.

When asked how ANCSA can help them, Calista shareholders say that the only way the corporation can benefit them directly is to give them jobs or pay them a regular dividend. To no one's surprise, Calista Corporation has been able to employ only a small number of shareholders and, with a few exceptions, has yet to pay regular or substantial dividends. Instead, the corporation has had to provide numerous services to its shareholders that are not regular functions of a normal business corporation and should not have involved a major corporate effort. In turn, the provision of these services has resulted in the corporation having less money available for business investments and ventures in the region and elsewhere.

At the time of ANCSA's passage, Congress and individuals expected that the corporations would administer the settlement and would serve as vehicles for achieving far-ranging goals, especially with respect to economic development. It was widely believed that through ANCSA, Alaska Natives would realize a higher standard of living and self-sufficiency, both through the direct settlement benefits and through efforts initiated by the village and regional corporations. The corporations were seen as vehicles to promote the health, education, social and economic welfare of their shareholders. Everyone believed that the assets conveyed to the corporation would be used to initiate a process of economic development in rural Alaska which, by a "trickle-down" effect, would benefit all Alaska Native villagers.

These expectations have resulted in unrealistic demands being placed on Calista Corporation, many of which are more appropriate for governments than of corporations. The corporation is limited legally and financially in what it can do to meet the social, cultural and income needs of its shareholders. Calista Corporation can no longer ignore its fiscal responsibilities or divert its focus from profit-maximizing activities without jeopardizing its corporate survival. The corporation cannot fully engage in the mainstream of Alaskan economic activity and at the same time fully serve the aspirations of over 13,300 shareholders, many of which continue to state that control of the land and preservation of the traditional way of life should be the corporation's primary objective. In summary, Calista Corporation has not been able to fulfill the range of high expectations placed on it by its shareholders, and it is highly unlikely that we may ever do so.

It is impossible to estimate the revenues lost to Calista Corporation during the early years of implementing ANCSA, as well as from direct litigation costs associated with seeking the conveyance of title to our land. The greatest loss to this corporation, however, resulted from the rapid pace under which we were forced to make our land selections. The time frame precluded complete and accurate resource assessment of the Calista region. Our selections are, therefore, not as meaningful and beneficial to this corporation as they might have been had we been given more time to make our selections.

ANCSA, however, has not been without its benefits. It has, in some ways, led to a growing, state-wide consciousness of the special and unique nature of rural Alaskan life in its many forms, populations and cultures.

One of the stated purposed of the Alaska Native Claims Settlement Act is found in Section 2(b):

§2 (b) "the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives, without litigation, with maximum participation by Natives in decisions affecting their rights and property..."

Even after 15 years, it is obvious that the goals outlined in Section 2(b) simply have not materialized. In addition to implementing ANCSA, the corporations, both village and regional, have been expected to fulfill many goals ranging from generating substantial earnings for the purpose of paying dividends to protecting the subsistence way of life. As stated in the ANCSA 1985 Study, there are expectations that have been placed on the corporations over and beyond the expectations regarding implementation and administration of the land and cash settlement. These are expectations that no ordinary corporation such as IBM, ARCO or Ford Motor Co. would be subject to. Shareholders, politicians public employees and others believe that the ANCSA corporations should:

1. Contribute to the social and economic well-being of Natives by providing a continuing stream of income to individuals.

2. Initiate the economic development of rural Alaska by providing a source of funds for enterprise and for community development.

3. Provide for Natives' participation in the modern economy.

4. Preserve Native heritage and property for future generations.

5. Protect the traditional way of life.

If the standard of what is a "fair and just" settlement is one which fulfills the objectives set forth in Sections 2(a) and 2(b) of Congress' declarations of policy, then, for the reasons cited below, there is little doubt that neither Congress nor the federal agencies, notwithstanding their remedial efforts, have achieved the fairness and justice contemplated by the drafters of ANCSA.

Section 2(b) of ANCSA provides an example of conflict between substantive provisions of ANCSA and the express policy objectives. For example, Section 2(b) says the Act should be implemented "rapidly, with certainty...without litigation," but now this language echoes across a legal landscape littered with the debris of innumerable lawsuits. Tens of millions of dollars have been spent on the litigation of these disputes. Disputes have covered a whole range of matters such as the delineation of land-selection boundaries between regions; overzealous easement identifications; eligibility of villages for certification as village corporations; sharing of revenue from the sale of timber and mineral resources; unequal application of nationwide submerged land policies to Native conveyances; and proxy battles within the corporations themselves.

The complexity of ANCSA, the large number of participants in the process and the substantial social and economic interests of numerous persons, groups and entities which are impacted by ANCSA has also resulted in endless litigation. ANCSA did not prohibit access to the courts, therefore it was not reasonable to expect ANCSA to be implemented "without litigation." If Congress intended to implement ANCSA, quite literally, "without litigation," then the implementation process has been an absolute failure. Some of the failure is due, in part, to federal agencies disregard of Congress' direction and stated intent, and the rest is due to the complexity and ambiguity which typifies the Act.

Section 2(b) implies that Congress or the agencies responsible for the implementation of ANCSA knew what Alaska Natives needed economically and socially. Based on the 1968 field report: Alaska Natives and the Land, Congress concluded that Natives, as a whole, suffered from near poverty conditions, and therefore required cash and institutions to facilitate development of human and natural resources which would be under Native control. Subsequently, when Congress enacted ANCSA, the act included a substantial cash component and a multi-tiered corporate structure. Unfortunately, Congress gave no assurance that this structure would work, nor did they consider the appropriateness of the corporate structure to the lifestyle and culture of Alaska Natives.

Throughout the implementation process, federal agencies have defined their objectives, responsibilities and authority narrowly with little regard for the economic and social needs of the Natives or the Native corporations. Some examples are the Treasury Department's refusal to pay interest on the periodic balance in the Alaska Native fund, the IRS rulings that Native corporations realized income upon receiving technical land selection assistance from government and private corporations despite the lack of any earned income, and the Department of Agriculture's decision that Alaska Native Fund payments to Natives would disqualify them for food stamps. In these situations and others, Alaska Natives and the Native corporations have had to rely on the courts and Congress to fulfill the policy objectives of the Act.

What is more, in the early years, Calista's corporate managers had to assume the burden of managing startup costs with little experience in the corporate arena and little opportunity for formal introduction or training. Management during this time was often by trial-and-error. Unlike most other corporations, Calista Corporation did not have a pool of people in the region educated or experienced in the corporate world, nor was the corporation formed to meet a particular need in an established market. Quite literally, the corporation has had to formulate its business purpose and acquire business acumen after the fact.

Calista Corporation is not the only corporation which has had problems with implementing ANCSA. The village corporations in the region have also had to face many obstacles, including little seed capital, lack of business opportunities, lack of infrastructure adequate for business development in the community, lack of human resources trained and/or experienced in the business arena, leadership spread too thin by the numerous demands placed on them from inside the village and out, political pressures to invest in something despite odds of succeeding or risk, the bias of the business community, internal and external conflicts brought about by ANCSA's ambiguities and unrealistic shareholder expectations. With such obstacles to overcome, it is not difficult to understand why the village and regional corporations have had little, if any, success at providing for the economic needs of the people living in the Calista region.

A village corporation in the Calista region with one hundred shareholders received about $80,000 from the initial distribution of ANCSA funds in December 1973. It has been calculated that the minimum cost for a village to carry out the corporate duties that ANCSA has imposed on it is about $70,000 annually. Most villages in the Calista region received less than $200,000 in total from the Alaska Native Fund. That amount simply could not support the village corporations' operating budgets, let alone pay dividends or provide adequate capital for business ventures or investments. Consequently, the village corporations have had no means to promote economic development in the villages, much less the region. As a result, our villages continue to be plagued with problems of unemployment and have not been able to develop viable businesses.

Calista Corporation and the village corporations have been unable to generate large enough profits to return dividends to shareholders which could significantly improve their standard of living. Shareholder expectations for dividends have been balanced against the corporation's need to retain earnings for development capital. There is always the hope, however, that in the future, large scale mineral development may generate greater cash flows as well as increased employment opportunities in the region. But, even if such development does occur, it is not likely to come about in the near future unless we can attract exploration companies into the region. Quite simply put, if there is no interest in the region and its resources, there can be no development. Without development, there will always be social and economic problems in the Calista region.

It is not difficult to identify reasons for our less than successful performance. The early years have been spent working through the Act, seeking to understand its terms and requirements. Considerable money and effort has been expended in preserving the land estate, and in acquiring conveyance of that land estate from federal agencies. Calista has spent considerable sums of money on the village land selection process so that the villages could receive their land entitlement in a timely fashion. Consequently, Calista Corporation employed staff and consultants to help the village corporations select and meet the mandatory selection deadlines. Since then, the village corporations have been forced to spend their modest wealth litigating to secure their land conveyance, and implementing the surrender of the only land that might have commercial value under mandatory reconveyance provisions included in Section 14(c) of ANCSA.

It was generally expected that the Native corporations--with the land and money provided in the Act--would create an economic base sufficient to generate economic development in rural Alaska. Many people felt that ANCSA would enable Alaska Natives to construct the community facilities, develop job opportunities, and obtain training essential to develop and maintain a viable economy in a community or region.

These expectations were simply unreasonable. Rural Alaska, especially southwest Alaska, has not and probably will not in the near future exhibit the necessary conditions for sustained, diversified economic growth as traditionally defined. Much of the land held by the village corporations in the Calista region is tundra. And without exception, these lands have little or no immediate commercial value. A few village corporations in the region have taken over the local store and fuel delivery service; unfortunately, these have usually been the only business opportunities in the village. You simply cannot build a regional economy on a few village stores and an occasional construction project.

If a region is to be viable, it must have an economic base. As of today, the Calista region is without such a base. Those regions of Alaska which are growing and have few social or economic problems are those that have strong local economies and/or resource potential such as timber, fisheries, oil and gas fields, to name a few. The Native corporations in these parts of the state appear to be successful and viable, which is just the opposite for the few regions which had no regional economy at the time ANCSA passed. These Native corporations, in particular the Calista Corporation, have had to play a continuous game of catch-up since ANCSA was passed, and we have yet to catch-up to the other parts of Alaska.

Many of the village corporations function only on paper. For a variety of good reasons, few village corporations in the Calista region have been successful--but not because they are Native corporations. In most villages, no commercial business could have succeeded simply because there is nothing to support or encourage development. Consequently, the bankruptcy of many village corporations seems to be inevitable, unless viable business ventures can be pursued in the upcoming years and the region's economy improves.

Village corporations in the Calista region have little capital left; most do nothing more than comply with formal statutory requirements. They pay their taxes, pay for their audits and that's about it. Others have ceased even to do this much. For these village corporations, there is little hope for the future, unless changes are made to help these corporations and villages.

With the passage of ANCSA, the village shareholders waited eagerly for a new era of development to begin. But it came only in capital expenditures, usually by state government and often in the form of inappropriate technology, beyond the means or the capacity of village people to manage or to operate without massive and continuing fusions of state or federal funding. In recent years, there has been more cash in the villages, but the specific promises of ANCSA, the promises of development, have not been fulfilled. The villagers are still without jobs and the village corporations are not paying dividends. Few villagers are any better off financially now than they were when ANCSA passed almost 20 years ago. And most of the village corporations have little to show for their efforts to implement ANCSA and become self-sufficient.

Some people feel ANCSA was an attempt to "re-create Main Street on the tundra" in the Calista region. The widespread complaint that comparatively few Natives are benefiting from ANCSA appears to be true in the Calista region. Our shareholders have nothing to show from the Settlement Act. Given more time, ANCSA's beneficial effects may someday be more widely felt in the villages, but for the time being, the economic benefits do not exist.

In contrast to the boom which many believed would follow ANCSA, resource development in the Calista region has remained at a low level - due primarily to the economic environment and lack of knowledge about the resource base. In the next few years, the Calista Corporation will see only, at best, modest development of its natural resources because of high production costs and generally unfavorable environmental attitudes and opposition to natural resource development. Because of Calista's location in the middle of the world's largest fish and wildlife refuge, the world focuses on any major development activity proposed for the region and almost always opposes the proposed activity.

Major development of the mineral resources in the Calista region is only a means by which a strong regional economy can be established in the region. It is important to point out, however, that in the past most resource development in the region has been carried out by workers commuting from the State's major urban centers or even from areas outside Alaska rather than by Natives from the Calista region. Except for some aspects of the commercial fishing industry, the region's resources will undoubtedly continue to be developed in this way until Alaska Natives in the region receive the training to develop the necessary skills needed to participate in the mineral industry. Furthermore, resource development opportunities will take a long time to mature unless exploration in the region is increased. Special programs are needed to initiate and promote resource development and exploration in the Calista region. Without development of the region's mineral resources, the region will continue to experience high rates of unemployment and minimal economic development. Numerous factors act to prevent the success of other industries within the region.

The Calista region has never experienced economic booms like other areas of the state. For example, the Calista region and its residents were left out of the big Trans-Alaska pipeline construction boom. The region was too far away to provide services and village residents had neither the skills, nor the trade union membership necessary to get the jobs available during construction of the pipeline. As local economies in other areas of the state grew throughout the 1970's and 1980's, the Calista region's economy, with the exception of state initiated public construction, actually declined and local residents became even more dependent on state and federal monies for survival. Even today, the Calista region is missing out on the mini-boom resulting from the Exxon oil spill. Our region is too far away from the spill to provide workers, equipment, boats and supplies. So once again, the people in the region are missing out on a chance to participate in the many employment opportunities resulting from the oil spill.

Expectations that ANCSA would enhance the individual economic well-being of Alaska Natives has been followed by more sobering expectations or fears that education, health, housing, welfare, and other social programs, particularly those identified for Alaska Natives, could cease or be cut back. Public perception of the regional corporations has been a curious blend. The corporations have been expected to serve as privately-endowed governments providing social services, yet at the same time there was an expectation that the corporations would be profit-making entities.

In addition to implementing ANCSA and stimulating economic development, the corporations are being expected to preserve and protect the land base received under ANCSA so that shareholders may pursue their traditional lifestyles. We have tried to tie this goal to our corporate structure. The philosophy of Calista Corporation is that the corporation is a steward mandated to protect the lifestyle and land necessary to maintain the subsistence way of life, despite pressures for economic success. We try as best as we can to preserve the traditional lifestyle of our people, while maintaining our economic viability as a profit-making corporation, but quite often these two policies are in direct conflict with one another.

For the immediate future, a mixed economy, which combines the activities of wage employment and the harvest of subsistence resources for both commercial and subsistence use, is expected to continue, simply because neither subsistence nor wage employment alone can support village residents.

In light of this fact, Congress and the State of Alaska should promote and provide financial assistance to activities such as mineral development and commercial fishing in the Calista region because they are economic enterprises which are adaptable to the traditional lifestyle of the Yupik people. Industries of this nature provide a flexible work environment which allows people to continue their subsistence activities. Yet, these industries are stable enough to provide long-term employment opportunities and utilize the skills of the people in the region.

As of today, the largest single employer in the Calista region is local government, which provides 17 percent of the salaried jobs. Local, state, and federal government agencies combined provide approximately 60 percent of the jobs in the region. Education, health and social services, and public administration are the main areas of public employment. Until the crash of Alaska's economy in 1986, local and state government employment represented the primary source of economic growth in the Calista region. Now with the rapid decline in federal and state spending, the villages in the region are faced with payrolls they can't meet, buildings they can't heat and utilities they can't operate. The region's economy is now very unstable and its future viability appears very uncertain.

In light of the Calista region's woeful economic and social condition, we would like to make the following recommendations to Congress:

1. The ANCSA village and regional corporations are an existing vehicle in rural Alaska capable of fostering economic development. Both the state and federal governments should use these corporations as a conduit to stimulate economic development in severely distressed regions of the state. This can be done by focusing and providing assistance and attention to these regions in the form of job programs, technical assistance and funding through new and existing programs for capital improvements and economic development.

2. The development of service related industries which are not tied to a corporation's land holdings should be promoted and funded in villages experiencing large unemployment rates. For example, instead of sending in pre-fab housing for the HUD housing projects, homes could be stick-built. The villagers would benefit by receiving a higher quality of house and those individuals working on the project would learn valuable construction and carpentry skills which could be applied to other projects and jobs, Service related industries or light manufacturing facilities are feasible only if products associated with or produced by them are competitively priced within a given industry. Grants, long term low interest loans, long term tax incentives or moratoriums, utility or transportation subsidies, assistance with infrastructure development and other cost reducing incen-

tives could help assure a successful enterprise and justify the risk of starting such an operation in the less developed regions. In order to foster economic development at this level a long term commitment from the state and federal government will be necessary to provide assistance to so that these ventures can become competitive long enough to amortize their investments and help offset high transportation, utility and other logistic costs and capture a solid market. Without economic incentives/assistance, most businesses and industries in rural Alaska simply cannot compete on an equal basis in the competitive market in the more developed regions of the state.

3. One of the primary reasons that ANCSA corporations in the region, including Calista Corporation, have problems developing their land and resources is remoteness and inaccessibility. Investment capital is difficult to attract to the Calista region because of the high cost of developing infrastructure and site preparation. These are concerns which have been expressed to us by surface developers and mineral exploration companies.

   Many rich mineral areas remain undeveloped in rural Alaska due to the difficulty and extremely high costs involved in getting to the reserves. Without roads, airports and port facilities in the Calista region, the potential for economic development is limited at best. In terms of infrastructure development, few places in Alaska are more isolated than the Calista region. There is only one way in and out of almost all the region's villages and that is by airplane, one of the most expensive forms of transportation available.

   If the Calista region is to ever grow and develop a viable economic base, we need to construct roads between the communities, dock facilities along the Yukon and Kuskokwim Rivers and port facilities in the major coastal communities. Furthermore, infrastructure, such as improved airports, in the communities themselves would make land within or near a village more attractive for commercial, recreational and industrial development.

We would like to encourage Congress and appropriate state agencies to provide funding and develop programs to improve the infrastructure and transportation system in rural Alaska. Without adequate facilities there is no way villages in rural Alaska or the region's themselves can compete with the more developed and accessible areas of the state in terms of economic development.

4. There is a desperate need for increased mineral exploration in Alaska, in particular in the Calista region. Vast areas of the region remain largely unexplored both for hardrock minerals and oil and gas. In the Calista region, we have three major oil and gas basins which are virtually unexplored. In an area comparable in size and potential to the State of Oklahoma, only one drill hole has ever been completed, along with limited seismic and reconnaissance work. The lack of interest in the Calista region is due largely to the difficulty associated with high costs of doing exploration in an undeveloped, minimally mapped and isolated region. Should oil be discovered in one of these basins or a major mineral deposit be located, the Calista region would finally have a base upon which to develop a regional economy similar to that of the North Slope or the NANA Region with its Red Dog Mine.

   In the Calista region, the large majority of land is either federal or Native owned. Mineral development on either type of land would provide an economic base in the region and in turn would benefit village residents. Mineral exploration on adjacent federal lands by government geologists would provide important correlative information that might attract exploration interest on private ANCSA lands. Mineral exploration on private ANCSA lands, either by government geologists or by corporate geologists, with federal or state grants or subsidies would also provide necessary geologic data to attract additional exploration or development interests on ANCSA lands. It has been shown in other regions of Alaska that resource development jobs provide significant employment opportunities, which in turn would help ameliorate many of the social and health problems now occurring in the Calista region. Furthermore, resource development can lead to numerous well paying jobs that are easily adaptable to the subsistence lifestyle. In light of this fact, we would encourage Congress to provide funding and expand programs in mineral exploration through agencies such as the U.S.G.S and the Bureau of Land Management. Until there is a good field of knowledge about the resource potential of the more undeveloped areas of Alaska, there will be very little activity in the way of development.

Without more mineral and oil and gas exploration, there will be no mineral development in the Calista region. The type of grassroots exploration necessary to locate mineral deposits or oil reserves in the Calista region requires large amounts of capital; capital that Calista Corporation cannot commit because of our limited financial resources and capital that Calista has been unsuccessful in attracting primarily because of the remoteness and the lack of geologic information available for the region. State or federal financial assistance for mineral exploration and development is needed if resource development is to be the vehicle to help the Calista region eliminate its economic problems and develop a strong regional economy. We strongly urge Congress and the State to consider mineral development as a feasible means of stimulating the region's depressed economy and provide an economic basis for the region.

If at all possible funding for economic development should be provided to those areas of the State which are economically disadvantaged so that these areas can find a means to become self-sufficient, thereby eliminating the need for continued government support. In the Calista region, such a program could focus on mineral exploration and development, since this is one of the only feasible options available to the Calista region.

We believe that provided the opportunity and the means the Calista region could become an economically viable and self-supporting region of the State. However, in order to accomplish this goal much planning and assistance will be needed from the state and federal governments. Should the more rural and economically distressed regions and villages continue to be over looked and go unassisted, there will be an increase in the social and economic problems now facing the Native people in these areas of the state.

5. If no federal assistance is forthcoming to help develop a healthy economy in the Calista region villages, there is another alternative involving the ANCSA lands that could help Calista and its village corporations provide economic opportunities to village residents. A realignment of ANCSA land selections using either relinquishments and/or the opportunity to make new ANCSA selections to fulfill remaining entitlements or land exchanges would provide an opportunity for the villages or Calista to acquire properties that have greater resource values or potential for more immediate development. Land exchanges have not been possible in the past because preservation oriented public interest groups have blocked attempted exchanges even though federal land managing agencies have favored the exchanges as a means to implement the congressional purpose of ANCSA; that being to accomplish the settlement "in conformity with the real economic and social needs of Natives."

The Calista region is still faced with extreme poverty and substandard living conditions. An exchange of some lands in the Calista region for lands with more development and resource potential would provide the village corporations with an asset that could be developed in the immediate future. If the village corporations continue to own only tundra, lakes and ponds, there will be no economic development in the region, which in turn means no jobs in the villages and the perpetuation of the region's many social and economic problems.

Native corporations were rushed into making their selections supposedly on the basis that BLM would thereafter convey Native lands. However, no immediate conveyance was forthcoming. Calista Corporation with its 56 village corporations was literally forced to race through its selections, often forsaking quality lands to attain selection rights to a village corporations' full entitlement. Many sections which have a special value or which would help consolidate Native corporation selections were lost in all this haste. Again, land exchanges could be used to rectify this situation.

For example, Section 22(f) of ANCSA could be amended to permit the various secretaries, designated in this section, more latitude in land exchanges with Native corporations. The secretary should be authorized to enter into a land exchange if the secretary of either of the designated agencies or a Native corporation wishes to consolidate or facilitate the management or development of the land.

6. Since ANCSA was perceived as being the primary means for providing for the future of Alaska Natives and their corporations, it is suggested that Congress adopt technical amendments to ANCSA which are now being prepared and will be proposed to Congress by the Alaska Federation of Natives. These amendments will clarify and facilitate the implementation of ANCSA thereby increasing the ANCSA corporations chances for survival in today's corporate world.

Conclusion

In conclusion, I would like to say that we at Calista Corporation believe that many of the social and economic problems now occurring in the Calista region can be lessened and in some cases even remedied if there is a coordinated effort between the ANCSA corporations, Congress and the state and federal agencies to work together to find suitable and workable solutions to the problems at hand.

We believe that Congress needs to implement meaningful legislation which helps those corporations which are having financial difficulty and those people which are experiencing the greatest social and economic difficulties. We have found that blanket policies and legislation do not work. ANCSA was meant to treat all Natives equally, yet we have seen that there is a great disparity between the various regional corporations and village corporations. Quite simply put, the corporations can be divided into two groups - the "haves" and the "have nots." Calista Corporation is one of the "have nots."

Some corporations are resource rich, while others, such as the Calista Corporation, have very little in the way of proven developable resources. Section 7(i) of ANCSA was meant to help equalize this sort of difference, but in reality, the policy has been a hinderence in in at least one area. Under 7(i) a regional corporation shares 70 percent of the revenues from any resource it develops. Yet it shares 100% of the high risk investment required in mineral exploration. The "haves" have had success with their 7(i) resources because their lands were located in areas that have seen much development interest long before the passage of ANCSA. Exploration and development dollars will always be available in those regions of the state. In the "have not" regions like Calista the developable resources are not so obvious or are not as easy as access. Consequently, little outside funding is available for the Calista Region. We have little ourselves to spend as exploration. Even if we had more funds it would not be prudent of Calista as are investor to expend large sum on exploration where we take 100% of the risk and share only 30% of the profits. Most mining projects require minimum threshold returns of 15%. Since we share only 1/3 of the profits off of Calista's land we must seek to find properties that return roughly 300% more profits than the typical mineral property. With that in mind it is easy to see why other investments seem less risky and more lucrative to Calista Corporation. The private section has demonstrated a matched reluctance to invest in exploration and Calista has real limitation on it's making the necessary investments. Large investments are necessary nevertheless to help develop an achievable economic base in the Calista Region.

We have also seen legislation meant to benefit the financially strapped corporations actually used by the successful corporations to the detriment of the other corporations. An example of this type of situation involves the sales of Net Operating Losses. Corporations such as CIRI, Doyon and Sealaska sold connected involving their oil gas, timber and hard rock minerals. As a result of their excessively large sales, the Congress changed the law to disallow any other additional NOL sales by Native corporations. Corporations which had hard cash losses such as Calista Corporation and Bering Straits Corporation had to lobby for an exemption to the law so that they could finish pending NOL sales. In the end, the greatest benefits from the NOL sale went to resource rich corporations such as CIR and Doyon, not to the resource poor or financially beleaguered corporations such as Calista, Bering Straits and Aleut Corporation.

This same sort of inequity occurs in many of the social and economic development programs operated by the state and federal governments. Villages and communities near the urban centers all have sewer, water, roads, access to jobs and other amenities, whereas regions with rural villages have few if any of these services. In the future, a much greater emphasis needs to be placed on bringing the rural villages up to what we consider a minimum standard of living. Few of us here in this room today would survive if we had to carry our water from a river, use honey buckets, haul our own garbage and live on foodstamps and what little game we got from hunting and fishing.

If the Yupik people of the Calista region are to survive into the year 2000, we must begin to help them make the necessary changes and give them the tools and means to develop meaningful lives which are free from the harsh conditions these people must deal with on a daily basis.

PREPARED STATEMENT OF MATT ANDREWS

PNEUMA CORPORATION
P. O. Box 172
Saint Mary's, Alaska 99658

TESTIMONY BEFORE SENATOR DANIEL INOUYE AND THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS

May 27, 1989

Federal Court House, Anchorage, AK

SENATOR INOUYE, SENATOR MURKOWSKI, and and members of the Hearing Commitee.

I am Matt Andrews from the Village of Saint Mary's and a member of the PNEUMA Corporation Board of directors and speaking on behalf of a large number of people from the Yukon-Kuskokwim Delta who are seriously concerned about the alcohol problem and who would like to see a Family Alcohol treatment program brought into existence at the old St. Mary's School facility.

Senator. I do not need to dwell long on the fact that substance abuse, particularly alcoholism, is a very serious problem in our area. We see it in:

neglect, and, at times, abuse of children because of alcoholism

In my job in Administration in the our local school, Andrefsky High School, I see performance of the students seriously degraded due to unstable home situations.

I see the incidence of suicide and contemplated suicide high among our young people, especially teenagers and young fathers

I see very stressful situations created within families as a result of their abuse of alcohol.

We have problems with keeping good staff people at school and in general, unemployment rate is high and among those who do have jobs they frequently cannot keep them.

Crime is almost absent among our people except that which is related to alcoholism.

SENATOR, WE ARE VERY CONCERNED ABOUT THE PROBLEM AND WOULD LIKE TO URGE YOU TO HELP US BRING INTO EXISTENCE A FAMILY ALCOHOL TREATMENT PROGRAM AT THE, NOW VACANT, SAINT MARY'S SCHOOL FACILITY.

Family has traditionally been very important in our native culture but our family life is seriously threatened by the problems resulting from the widespread alcoholism that has caught us in a most vulnerable time of our development. We have to deal with the problem. We feel the most effective way will be through that part of our life which is so valuable to us, OUR FAMILY LIFE. We feel that if we can restore healthy family life by dealing with the problem of alcoholism in a family way, in a program similar to the Kakawis program in British Columbia, that we can restore that which is most basic to our way of life, our families. We feel that if we have healthy families we can become independent and be able to cope with the destructived influences that are constantly coming our way. We need healthy families.

Senator, We feel that if we could get a commitment of funding for this project for a five year period that we would save the public many times the amount invested in our program in reductions in:

law enforcement

rehabilitation programs such as the YK Correctional Center

medical costs for alcohol related ailements including attempts at suicide

costs of treating FEDAL ALCOHOL SYNDROME children, not to mention the tremendous benefit in saving human brains

In addition we would be making the school system more effective thus assuring the healthy growth of our children.

We hope that this would nurture and promote the development of creative local industry which would further reduce dependence on public support.

It has been pointed out to us that effective treatment of serious epidemics has been accomplished by prevention rather than treating the resulting disorder. Examples:

smallpox treated by finding a vaccine
dysentery treated by effective sanitation
malaria treated by misquito control

our hope is that the alcohol epidemic will be cured by family treatment

Senator. A very adaquate facility exists, which you saw last September during your visit to Saint Mary's, where we could run such a program. Some effective efforts were made this year with inadequate funding. We have great confidence that with funds sufficient to run a modest program we would be able to prove our contention that large savings in public money would occur.

There has been good interest on the part of local people for the program.

Reports are that the few people that were treated in the program from a neighboring village benefited significantly from the meager program offered and are now forming support groups themselves in their village.

People from Saint Mary's who volunteered their help during the treatment phase of the program plead that the program continue because they, themselves, saw hope and experienced healing within their own families.

Senator, I thank you for listening and hope you hear in this short testimony our urgent appeal for help to get started, our hope to begin healing ourselves and becoming independent of those negative influences that have crept up on us while we trusted.

Respectfully Submitted by,

Matt Andrews

Peter Mathew Andrews
PNEUMA Corporation
Board of Directors

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

AS SUBMITTED
Excluding Pr

April 12, 1989

Ray Jensen, Administrative Officer
State Office of Alcoholism and Drug Abuse
P. O. Box H-05F
Juneau, Alaska 99811-0607

Re: FY 90 Request for Proposals
Consolidation Response

Gentlemen,

Enclosed is one copy of the complete consolidation document for our FY90 grant requests. Pneuma seeks State support for four proposals:

1. Alcoholism and Co-dependency Family Treatment Program
2. Prevention Program
3. Training Program
4. Village Treatment Program

These are components of a comprehensive program to treat those affected by alcohol abuse, alcoholism, and co-dependency in Western Alaska, to prevent such conditions, and to train local residents as qualified counselors.

Our goals and objectives accurately reflect input from the targeted communities and are in explicit agreement with SOADA philosophy.

Although Pneuma began operations in July of 1988, the lack of funds prevented services beyond basic outreach and prevention work until SOADA awarded a small Children of Alcoholics grant in January. In March we began additional treatment services. Without state funding for FY90, Pneuma will be forced to cease operations.

We believe our proposal, focusing on the family, will be both innovative and effective, while avoiding duplication of existing efforts in the area. We are hopeful that our proposals are complete and that SOADA and the Advisory Board will recommend funding for these programs.

Very truly yours,

PNEUA CORPORATION

Robt K. Betz

Robert K. Betz, Vice President

ADMINISTRATION - 2990 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-6848
FINANCE - 801 BARNETTE ST. FAIRBANKS AK. 99701 PHONE 907-452-2272

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

FUNDING REQUEST and PROGRAM DETAILS
for
Pneuma Corporation Family Life Program

April 1989
FY 90 SOADA GRANT PROPOSAL

Consolidation Documents

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Description of Applicant Information
Provided to SOADA under consolidation procedures

Finance Contact Person: Robert K. Betz, Fairbanks Finance Office

PNEUMA CORPORATION

P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

FAMILY LIFE PROGRAM
Consolidated Documents
Executive Summary

Pneuma proposes a solution to Alaska's number one health problem - Alcohol and other drug abuse, alcoholism, and co-dependency. Alcoholism is a chronic, progressive, and fatal disease, and its associated co-dependency debilitates and destroys the family. These conditions are a root cause of most rural personal tragedies, accidents, suicides, violence, abuse, neglect, sickness, and desperation. It demands a comprehensive education, prevention and treatment program.

Pneuma seeks funding for an innovative, comprehensive and cohesive, family-oriented program of education, prevention, outreach, intervention, and treatment which addresses the physical, psychological, social, and spiritual aspects of alcohol problems and co-dependency.

The Family Life Program, focusing on each family unit, will seek to break the cycle of destructive, compulsive behavior while encouraging self-worth and personal development among all family members. Treatment for the alcoholic's addiction and the family's co-dependency will enable the family and community to be supportive of healthy community life and sobriety. Prevention and outreach strategies will seek to prevent dependence on alcohol or other drugs. Education and prevention activities will change the community's attitude toward alcohol and other drug use.

Individual and group counseling, lecture-discussions, role playing groups, and in-depth searching into self are the heart of the treatment process. A structured aftercare program will provide an on-going program to help maintain recovery, helping the community to achieve an improved quality of life.

Four grant proposals are submitted to SOADA for FY 90 funding:

Alcoholism and Co-dependency Family Treatment	$916,400
Prevention Program	$181,425
Training Program	$136,600
Village Treatment Program	$797,855

Pneuma Corporation is a non-profit, community organization providing direct services to Alaska Natives, utilizing a Board of Directors and Operational Advisory Board with a majority of Alaska Natives from the area served. The program is headquartered in St. Mary's and targets villages in the lower Yukon-Kuskokwim River Delta area. The programs are further detailed in each grant proposal. Without SOADA funding for FY 90, Pneuma will have to cease operations.

ADMINISTRATION - 2910 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-6848
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PNEUMA CORPORATION FAMILY LIFE PROGRAM
Consolidated Grant Application Data

DESCRIPTION OF APPLICANT ORGANIZATION

Pneuma Corporation is a non-profit, non-denominational corporation with a mission to assist in combating alcohol and other drug abuse, alcoholism, and co-dependency through the growth of healthy family and community life. This goal is to be achieved thropugh a comprehensive program of education, prevention, outreach, intervention and treatment.

Pneuma has a nine member Board of Directors and a two member Executive Committee. Members serve staggered three year terms. Six of the nine Board members are Yupik Eskimo, five being from St. Mary's. The St. Mary's members were selected by the City in March 1989 and are anticipated to be elected full board members at a special meeting on April 15. The full Board meets quarterly, and the Executive Board meets weekly.

During 1988, much of Pneuma's efforts were consumed attempting to secure funding since the State Office of Alcoholism and Drug Abuse (SOADA) was unable to fund Pneuma's FY 89 grant request. A $50,000 private grant enabled Pneuma to begin operations with minimal staff and volunteer assistance. Pneuma Associates, individuals who provide $40 annual membership dues; private organization donations; and a small SOADA grant for a Children of Alcoholics Program have allowed limited services to be provided. If SOADA FY90 funding is not available, Pneuma will have to cease operations.

Pneuma has demonstrated the ability to provide quality services, albeit limited due to lack of funds. Local outreach and prevention work has progressed and a Children of Alcoholics program serves an average of 35 young people every day. In March 1989 additional treatment staff was hired and services expanded.

Pneuma is presenting four separate FY 90 grant requests. The base proposal is for a Family Life Program which provides TREATMENT services. Others are for PREVENTION, TRAINING, and VILLAGE TREATMENT.

CORPORATE ORGANIZATION

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                        Corporate Board of Directors
                              /\            \
                       Executive Board  ------- Director's Advisory Board
                              /\                      \
                     Executive Director ------- Operational Advisory Board
                              |                       \
                              |------------------ Village Advisory Boards
                              |                       \
                              |------------------ Program Advisory Committee-|
                 _____________/\______________________                       |
                 /\                                  /\                      |
       Administrative Assistant               Treatment Director---------|
             /  \                                   /  \
       Accounting, Clerical                 Prevention & Outreach
       Foodservice, housekeeping            Residential treatment
       Maintenance                          Outpatient treatment
                                            Continuing care
                                            Education and Training
                                            Aftercare Treatment
```

The Board of Directors is Pneuma's policy-making body. The Executive Director and the Operational Advisory Board operate the corporation within that policy and in accordance with the Bylaws. An Executive Board performs the functions of the Board of Directors between meetings.

Board of Directors membership is:
James A. Sebesta - 2890 N. Kobuk St., Fairbanks 99709 - President
Robert K. Betz - 801 Barnette St., Fairbanks 99071 - Vice president
Dr. Robert Alberts, MD - P.o. Box 196684, Anchorage 99519
Chuck Akers - 949 East 36th Ave., Anchorage 99503
Liz Joe - General Delivery, St. Mary's 99658•
Matt Andrews - General Delivery, St. Mary's 99658•
Larry Mike - General Delivery, St. Mary's 99658•
Mary Pauken - General Delivery, St. Mary's 99658•
Fran Thompson - General Delivery, St. Mary's 99658•

•Indicates St. Mary's residents selected by the community in March 1989 to be Board members. Selection of these members will fill out the full complement of the Board and achieve control of the corporation by Alaska Natives. An April 15 Board meeting is scheduled for the election of additional Board members in accordance with corporate Bylaws and following a confirmation process by the existing Board.

James A. Sebesta and Robert K. Betz form the Executive Committee. All Board and committee members are volunteers who serve without compensation.

The Operational Advisory Board is comprised of St. Mary's Alaska Natives who have the responsibility for program development, assuring that the Administration properly conducts daily activities in accordance with Pneuma's philosophy and goals.

Operational Advisory Board membership, all residents of St. Mary's is:
Flora Pauken, Liz Joe, Sebastian Cowboy, Moses Pauken, Ester Tyson

The Director's Advisory Board provides general input to the Board of Directors. It has not yet been formally organized but is expected to include statewide members who can provide helpful input to the Directors.

The Village Advisory Boards are formed in each interested village as independent advisory boards providing input to Pneuma's programs. Memberships have not yet been formalized since Pneuma has lacked funds and staff to implement planned village programs.

The Program Advisory Board will include members from the Board of Directors, the Executive Director's Advisory Board, Program coordinators, and other interested members. It will review and evaluate program offerings and implementation methods.

The Executive Director since July 1988 has been Ardi Bury, a Certified Chemical Dependency Counselor III (CCDC III). Her extensive academic and program experience has enabled Pneuma's services to begin despite funding difficulties. The Board will conduct an intensive search for a qualified replacement upon her leaving.

Pneuma's separate corporate formation and non-denominational character was made possible by a $50,000 grant from the Society of Jesus-Alaska (Jesuits). They have been active in rural Alaska for over 100 years, helping to add such place names as Akulurak, Pilgrim Springs, Holy Cross and St. Mary's to the map of Alaska. They and others, Native and non-Native, denominational and non-denominational, were instrumental in assuring grass-roots input to the mission and character of the corporation. The intention that the corporation be controlled by Alaska Natives is being accomplished with the expansion of the Board to its full complement.

In March and April, village meetings were conducted throughout the Delta to provide community input to a draft grant proposal. Pneuma's separate grant requests for Treatment, Prevention, Training, and Village Treatment were a result of this process. Petitions of support were signed by villagers from St. Mary's, Chevak, Alakanuk, Tooksook Bay, Tununak, Sheldon Point, Emmonak, Kotlik, Chefornak, Marshall, and Pilot Station. Others have not been received prior to the grant submission deadline.

CONDENSED JOB DESCRIPTIONS - Key Personnel

Personnel must be qualified for their positions. On-the-job training will be provided by supervisors and fellow workers for those wishing to qualify for another position. A SOADA Training Grant Request will fund specialized counselor training if funded. Workshops and professional development seminars will provide additional training. If funding permits, counseling staff will participate in training programs throughout the state.

EXECUTIVE DIRECTOR

This position is responsible to the Directors for administration, grant compliance, fiscal accountability, program planning and development, overall quality and management of Pneuma programs, staffing, staff professional development, public relations, grant writing, and fund raising. The director must have management and administrative capabilities; experience with non-profit organizations; knowledge and/or experience in prevention and treatment programs; appropriate education and experience; and demonstrate a positive and enthusiastic support for Pneuma's vision and goals. The director uses a consultive Operational Advisory Board.

ADMINISTRATIVE ASSISTANT

This position provides day-to-day operational guidance, ensuring that administrative, personnel, and facility matters are functioning correctly and efficiently. This position assists the executive director in all responsibilities of that position and is the direct supervisor of non-treatment staff.

VOLUNTEER COORDINATOR

This position is responsible for all volunteer work and workers, their orientation, training, enlistment, organization, staffing duties, activities, and performance evaluation. The position works closely with the treatment director and administrative assistant to identify needs talents, and opportunities for service that are enriching to the volunteer and patients.

TREATMENT DIRECTOR

This position is a certified chemical dependency counselor responsible to the executive director for day-to-day supervision of all prevention and treatment strategies and programs. This position is responsible for treatment plan development and implementation, treatment staff hiring, training, and development, daily program staffing, supervision of all counseling activities and program workshops or seminars.

CERTIFIED COUNSELOR

This position is responsible for direct education, prevention, intervention, and treatment services to patients. The position provides classes and workshops, facilitates individual, group and family counseling and therapy sessions and discussion groups. Each counselor is a primary counselor for a caseload assigned by the treatment director and are responsible for documentation and record keeping in accordance with Pneuma policy and statutory requirements. Certified counselors must hold CCDC I certification or better.

COUNSELOR TRAINEES

Counselor trainees are counselors lacking CCDC I certification. They shall work to upgrade their status to CCDC I. They work under the direct supervision of a certified counselor and are responsible to the treatment supervisor.

VOLUNTEERS

Volunteers will be accepted to function in roles for which they are qualified, being responsible to and supervised by an appropriate staff member.

SECRETARY / INTAKE COORDINATOR

The secretary / intake coordinator is responsible for secretarial and non-treatment staff support, providing reception for all visitors and initial screening, evaluation and placement assessments for all potential patients, responsible to the treatment director for all treatment-related activities and otherwise to the administrative assistant.

GENERAL EMPLOYEE REQUIREMENTS

1. All employees will be expected to share a positive approach to Pneuma's vision and goals, adhere to provisions of the policy manual, and possess talents and abilities that will enhance the treatment program. They are expected to give their time, energy, and concern in generous measure, pursuing their own wholeness while helping others to achieve their own.

2. Existing employees, local residents, and Alaska Natives will receive hiring preference provided they are qualified for the positions. All employees and volunteers must comply with criminal screening requirements as set forth in AS 12.62.035; must maintain current CPR certificates; and have no history of alcohol or other drug misuse for a minimum period prior to employment, and no misuse while employed.

GENERAL OPERATING INFORMATION

1. Worker's compensation insurance is provided under Policy #RN 904-4430 by Industrial Indemnity of Alaska. General and professional liability insurance is provided under Policy #559-1726-0250 by Lexington Insurance Company. Pneuma has a lease for the St. Mary's Mission property, including over 69,300sf of building space, from the owner, the Catholic Bishop of Fairbanks. The lease reserves some facilities on the site for the exclusive use of the owner and requires Pneuma to be responsible for repair, operation and maintenance costs, but otherwise provides the facilities as an in-kind donation.

2. Pneuma will comply with Federal and State laws and regulations and SOADA policies. Pneuma is an equal opportunity employer. Women, racial and ethnic minorities, persons of disability, persons over 40 years of age, and disabled and Vietnam era veterans are encouraged to apply for employment. Religious belief or affiliation is not a requirement for service or employment, nor a factor in the denial of service or employment.

3. Financial and program records will be maintained for audit. Monthly, quarterly, and annual fiscal and program narrative reports will be published. Eventually all such functions will be performed at the St. Mary's facility, but at present such fiscal and administrative work is carried on in Fairbanks by volunteers.

4. Pneuma's FY90 grant requests are:

A. Family Life Treatment Program
B. Prevention Program
C. Training Program
D. Village Treatment Program

SERVICE COMPONENT SUMMARY

Pneuma General Statement of Purpose

1. Pneuma is a community-based, non-profit, non-denominational corporation formed to assist the people of Western Alaska in their efforts to combat alcohol abuse/alcoholism/co-dependency. Pneuma's goal is to improve the people's overall health and quality of life by enabling the people to develop and maintain healthy forms of daily living, activity, and leadership.

2. In fulfilling its purposes, Pneuma will include the following service components:

1. Education
2. Prevention
3. Outreach and Intervention
4. Non-medical detoxification
5. Intensive Outpatient Treatment
6. Residential Family Treatment
7. Individual residential Treatment
8. Aftercare

General Program Services Operational Details

Pneuma's comprehensive program will include the following components:

1. Education - Provide education programs that expose opinions as opinions, building prevention and treatment efforts on a factual rather than opinionated foundation. Education and training efforts will respond to the need for an understanding of 1) the Agent - alcohol and other drugs; 2) the Host - those most susceptible to substance abuse and dependency; and 3) the Environment - those conditions conducive to interaction of the host with the agent.

2. Prevention - Provide those activities designed to prevent dependency on alcohol and other drugs. Primary prevention will forestall the unhealthy use of alcohol or other drugs. Secondary prevention will interrupt unhealthy use of such substances. Tertiary prevention will provide treatment and rehabilitation.

3. Outreach and intervention works within the community to identify persons in need of services, alerts people to the availability of services, locates such services, and enables people to enter such programs and accept the services available, seeking to reverse the early stages of dysfunctional drinking and prevent substance abuse.

4. Non-medical detoxification safely sees the patient through the first few days of residential treatment. Patients at risk or in need of medical detoxification will be referred to an appropriate medical facility.

5. Intensive outpatient treatment provides the basic services of a residential treatment program without the need for residential care. Individual and family assessments will determine the appropriateness of this treatment modality.

6. Residential Family treatment is the heart of Pneuma's Family Life Program. Families receive intensive group and individual therapy and treatment for co-dependency while an addict receives treatment for their addiction. The program permits intense concentration on the six main dimensions of family functioning: problem solving, communication, roles, affective responses, affective involvement, and behavioral controls.

The treatment of the addict within their family is the treatment of choice because more positive outcomes can be expected and co-addictions can be appropriately treated. It is often futile to rehabilitate an alcoholic who will return to a family environment that is unchanged. Family treatment provides a helpful atmosphere to promote healing through the growth of individual family members and the strengthening of the family unit.

7. Individual Residential treatment. While family treatment is the treatment of choice, an individual will also receive residential treatment when deemed appropriate or when other facilities cannot accommodate the patient.

8. Aftercare continues the treatment process with a program to maintain addiction-free living and help clients achieve an improved quality of life and a freedom to control their own destiny.

FILE # 42641-D

State of Alaska

Department of Commerce and Economic Development

Certificate

NONPROFIT CORPORATION

The undersigned, as Commissioner of Commerce and Economic Development of the State of Alaska, hereby certifies that duplicate originals of the Articles of Incorporation of

PNEUMA CORPORATION

have been received in this office and are found to conform to law.

ACCORDINGLY, the undersigned, as such Commissioner of Commerce and Economic Development, and by virtue of the authority vested in him by law, hereby issues the Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

IN TESTIMONY WHEREOF, I execute this certificate and affix the Great Seal of the State of Alaska on August 22, 1988.

J. ANTHONY SMITH
COMMISSIONER OF COMMERCE
AND ECONOMIC DEVELOPMENT

08-120

Filed for Record
State of Alaska

AUG 22 1988

ARTICLES OF INCORPORATION
OF
PNEUMA CORPORATION

ARTICLE I

The name of the Corporation is Pneuma Corporation.

ARTICLE II

This Corporation shall commence upon the filing of these Articles of Incorporation and shall continue in perpetuity.

ARTICLE III

A. The purpose for which this Corporation is organized is to engage in charitable, educational, scientific, and social service work, including, but not limited to providing comprehensive programs of prevention and treatment of Alaskans who may be affected by substance or other abuses, by addressing the physical, psychological, social, and spiritual aspects of such conditions.

B. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under

Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE IV

The affairs of this corporation shall be managed by a Board of Directors. The number of directors shall be at least three (3), and shall be set forth in the Corporation Bylaws. The names and addresses of the initial directors who shall serve until their successors are duly elected are:

Father James A. Sebesta, S.J.
2890 North Kobuk Street
Fairbanks, Alaska 99709

Robert Alberts, M.D.
3340 Providence Drive
Anchorage, Alaska 99508

Robert K. Betz
691 8th Avenue
Fairbanks, Alaska 99701

The manner of electing directors shall be set forth in the Corporation Bylaws.

ARTICLE V

The address of the initial registered office of the Corporation is 2890 North Kobuk Street, Fairbanks, Alaska 99709, and the name of the initial registered agent at such address is Father James A. Sebesta, S.J.

ARTICLE VI

The Board of Directors shall have the power to adopt, alter, amend or repeal the Bylaws and/or these Articles of Incorporation.

ARTICLE VII

The names and addresses of the incorporators of the Corporation are:

Father James A. Sebesta, S.J.
2890 North Kobuk Street
Fairbanks, Alaska 99709

~~Father Paul B. Macke, S.J.~~
~~419 West 12th Avenue~~ R.E.
~~Anchorage, Alaska 99501~~

Father James R. Laudwein, S.J.
419 West 12th Avenue
Anchorage, Alaska 99501

Father Charles [illegible] Peterson
P. O. Box 101
Nome, Alaska 99762

James A Sebesta SJ

Father James A. Sebesta, S.J.

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

ACKNOWLEDGEMENT

THIS CERTIFIES that before me, a Notary Public in and for the State of Alaska, personally appeared, James A Sebesta S.J who is known to me to be the person who executed the foregoing Articles of Incorporation and that he acknowledged to me, under oath duly administered by me, that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 27 day of March, 19[illegible].

Notary Public in and for Alaska
My Commission Expires: April, 1978

James R. Laudwein S.J.

Father James R. Laudwein, S.J.

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

ACKNOWLEDGEMENT

THIS CERTIFIES that before me, a Notary Public in and for the State of Alaska, personally appeared, James R. Laudwein S.J. who is known to me to be the person who executed the foregoing Articles of Incorporation and that he acknowledged to me, under oath duly administered by me, that he executed the same freely and voluntarily for the uses and purposes therein mentioned

WITNESS my hand and official seal this 17th day of [illegible], 19[illegible].

Notary Public in and for Alaska
My Commission Expires [illegible]

Father Charles J. Peterson, S.J.

STATE OF ALASKA
ss.
THIRD JUDICIAL DISTRICT

ACKNOWLEDGEMENT

THIS CERTIFIES that before me, a Notary Public in and for the State of Alaska, personally appeared, [illegible] S.J. who is known to me to be the person who executed the foregoing Articles of Incorporation and that he acknowledged to me, under oath duly administered by me, that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 5th day of March, 19[illegible].

FILE # 42641-D

State of Alaska

Department of Commerce and Economic Development

Certificate

CERTIFICATE OF AMENDMENT

The undersigned, as Commissioner of Commerce and Economic Development of the State of Alaska, hereby certifies that duplicate originals of Articles of Amendment to the Articles of Incorporation, duly signed and verified pursuant to the provisions of the Alaska Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce and Economic Development, and by virtue of the authority vested in him by law, hereby issues this Certificate of Amendment to the Articles of Incorporation of

PNEUMA CORPORATION

and attaches hereto a duplicate original of the Articles of Amendment.

IN TESTIMONY WHEREOF, I execute this certificate and affix the Great Seal of the State of Alaska this

8th day of December, A.D. 1988

LARRY MERCULIEFF
Acting COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT

ARTICLE III (See number 4 of the instructions) Any article being amended must be set forth in its entirety. Any number of articles may be amended, deleted, or added.

Resolved that Article VIII & IX **of the Articles of Incorporation be** ~~amended~~ added **to read as follows:**

FIRST AMENDMENT
(New Articles)

TO

ARTICLES OF INCORPORATION
OF

PNEUMA CORPORATION

ARTICLE VIII

A. Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to a non-profit fund, foundation, or corporation which is organized and operated exclusively for charitable, educational, religious and/or scientific purposes and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code.

ARTICLE IX

A. This organization is organized exclusively for Charitable purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.

For continuation of amendment, attach additional pages.

Dated DECEMBER 5, 1988

[illegible] CORPORATION
Name of Corporation

By: James A. Sebesta S.J.
President or Vice-President

By: Robert K. Betz
Secretary or Assistant Secretary

Subscribed and sworn to or affirmed before me this 5 day of December 19 88

George E. Bowden
Notary Public in and for the
state of Alaska
My commission expires: April 11, 1992

BY-LAWS

of

PNEUMA CORPORATION

ARTICLE I. PRINCIPLE OFFICES

SECTION 1. Registered Office. A registered office of the corporation shall be maintained by the Corporation in the State of Alaska at such location as the Board of Directors, from time to time, may designate.

SECTION 2. Other Offices. The Corporation also may have such offices at such other places within and without the State of Alaska as the Board of Directors may from time to time determine or the business of the Corporation may require.

ARTICLE II. PURPOSE

SECTION 1. Purpose. The Corporation is organized for the following purposes:

A. To engage in charitable, educational, scientific, and social service work, including, but not limited to providing comprehensive programs of prevention and treatment of Alaskans who may be affected by substance or other abuses, by addressing the physical, psychological, social, and spiritual aspects of such conditions.

B. To generally receive and administer funds for recreational, educational, and charitable purposes within the meaning of Section 501(c) of the Internal Revenue Code, and to that end to take and hold by bequest, devise, gift, grant, purchase, lease or otherwise any property, real, personal, tangible or intangible, or any undivided interest therein, without limitation as to amount or value; to sell, convey, or otherwise dispose of any such property and to invest, reinvest, or deal with the principal or the income thereof in such manner as, in the judgement of the directors, will best promote the purposes of the Corporation without limitation, except such limitations, if any, as may be contained in the instrument under which such property is received, the Articles of Incorporation, the Bylaws of the Corporation, or any laws applicable thereto.

ARTICLE III. POWERS

SECTION 1. Powers. The Corporation may:

A. Purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use or otherwise deal in and with real estate or personal property or any interest in the property wherever situated.

B. Sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of its property or assets.

C. Make contracts, incur liabilities, borrow money at rates of interest the Corporation may determine, issue its notes, bonds and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises and income.

D. Cease its corporation, corporate activities and surrender its corporate franchise.

The Corporation shall:

A. Have and exercise all powers necessary or convenient to effect the purposes for which the Corporation is organized.

B. Have such other powers as are conferred under the laws of the State of Alaska to a nonprofit corporation.

ARTICLE IV MEMBERS

The Corporation shall have no members.

ARTICLE V. BOARD OF DIRECTORS

SECTION 1. General Powers. The business and affairs of the Corporation shall be managed by its Board of Directors who shall exercise or direct the exercise of all corporate powers except to the extent required by law, the Articles of Incorporation, or these Bylaws.

SECTION 2. Number and Method of Selection. The number of directors of the Corporation shall be not less than three nor more than nine, and shall be elected by a majority of a quorum of the Board of Directors, at a meeting called for such purpose pursuant to Section 4 of this Article. Employees or staff of the corporation are prohibited from being members of the Board.

SECTION 3. Term of Office. Each director shall be appointed for a three year term of office and shall hold office for such term and until his qualified successor is named and accepts office. Initial directors shall be appointed for a three year term of office, additional directors who may or shall be appointed shall receive staggered one and two year terms of office such that one third of the Board of Directors shall be renewed each year.

SECTION 4. Regular Meetings of Directors. A regular meeting of the Board of Directors shall be held on the first Thursday of February of each year without other notice than this by-law for the purpose of Board elections and any other business that may come before the meeting. The Board of Directors may provide, by resolution, the time and place for the holding of additional regular meetings without notice other than such resolution.

SECTION 5. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two directors. The person or persons authorized to call special meetings of the Board of Directors may fix any place as the place for a special meeting of the Board of Directors called by them.

SECTION 6. Notice. Notice of any special meeting shall be given at least forty-eight hours previously thereto, by written notice delivered personally or by telegram. If notice be given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. Any director may waive notice of any meeting. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of any regular or special meeting need be specified in the notice or waiver of notice of such meeting.

SECTION 7. Quorum. A majority of the number of elected directors personally present or represented by proxies shall constitute a quorum for the transaction of any business at any meeting of the Board of Directors, but if less than a quorum is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

SECTION 8. Removal of Directors. Unless otherwise prohibited by statute, the Articles of Incorporation or any express provision of these Bylaws, any director may be removed, with or without cause, by a two-thirds vote of the Board of Directors. When two-thirds of the Board is not a whole number, the next whole number of directors shall be required for such removal vote. Directors may resign their position voluntarily by submitting a written notice to the Board, subject to ratification by the Board.

SECTION 9. Vacancies. Any vacancies occurring on the Board of Directors may be filled only by the Board of Directors. A director appointed to fill a vacancy shall serve the remainder of the unexpired term of their predecessor. Any directorship filled by reason of an increase in the number of directors shall be filled by election of the Board of Directors, with their term of office designated to comply with the provisions of Article 3.

SECTION 10. Manner of Acting. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

SECTION 11. Compensation. By resolution of the Board of Directors, the directors may be paid their expenses of attendance at each meeting of the Board of Directors. Directors may be paid a fixed sum for attendance at each meeting when permitted by statute and approved by unanimous resolution of the Board of Directors.

SECTION 12. Presumption of Assent. A director who is present at a meeting of the Board at which action is taken on any corporate matter shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes or he shall file a written dissent with the secretary of the meeting before the adjournment thereof. Such right to dissent shall not apply to a director who voted in favor of such action.

SECTION 13. Liability. A person who is or was a director of the corporation shall have no personal liability to the corporation for damages for any breach of duty in such capacity except that the foregoing shall not eliminate or limit liability where such liability is imposed under the Corporation Law of the State of Alaska.

SECTION 14. Indemnification. Directors and officers of the Corporation shall be indemnified in accordance with Article VII herein.

SECTION 15. Executive Committees. The Board of Directors, by majority vote, may designate two or more directors to constitute an executive committee, and may designate one or more persons as ex officio members without voting power, which committee shall have and may exercise all the authority of the Board of Directors in the management of this Corporation, excepting only the authority to amend the Articles of Incorporation; adopt a plan of merger or consolidation; sell, lease, exchange, mortgage, pledge or otherwise dispose of all or substantially all the property and assets of this Corporation other than in the usual course of business; dissolve the Corporation; or amend the Bylaws of this Corporation. Such committee shall hold office at the pleasure of the Board of Directors.

Any executive committee shall meet on call of the chairman or of any two members of the executive committee. Notice of each such meeting shall be as required in Article V Section 6, except that only twenty-four hours notice must be given of such executive committee meetings. Such meetings may be held by telephone or at such place or places as the executive committee shall determine, or as may be specified or fixed in the respective notices or waivers thereof. The executive committee may fix its own rules of procedure. It shall keep a record of its proceedings and shall report these proceedings to the Board of Directors at the meetings thereof held next after they have been taken.

SECTION 16. Other Board Committees. The Board of Directors may establish additional committees as desired which may include:

A. Audit Committee - established for the general purpose of satisfying itself as to the integrity of the Company's accounting and financial reporting, maintaining communications between the Board of Directors and external and internal auditors, continuously emphasizing the need for internal financial controls, and initiating special investigations as deemed necessary. Each year it recommends to the full Board of Directors an accounting firm to audit the books of the company, meets with the independent public accountants and discusses the scope and results of their examinations.

B. Finance Committee - established for the general purpose of satisfying itself as to the financial health of the Corporation, assuring funding for corporate activities. It reviews, approves, or modifies management recommendations on corporate financial strategy and policy, and where appropriate, makes recommendations to the Board of Directors.

C. Organization and Compensation Committee - reviews and approves corporate organization structure, reviews performance of corporate officers, establishes overall employee compensation policies, reviews and approves compensation of corporate officers, and administers employee benefit plans of the Corporation, making recommendations to the Board of Directors as appropriate.

D. Nominating Committee - reviews and recommends to the Board of Directors as to all proposed memberships on corporate Boards and committees including Advisory committee memberships. Membership on a corporate board or committee is not official unless approved by this committee or the Board of Directors.

SECTION 17. Advisory Boards. The Board of Director shall establish or cause to be established the following Advisory Boards which may include directors or officers in their membership, but which are to provide broad-based grass-root input to the activities and operations of the Corporation:

A. Director's Advisory Board - consisting of Statewide membership, predominantly representative of the Native people who will provide policy, planning and program policy input to the Board of Directors and/or the Executive Board.

B. Operational Advisory Board - consisting of local community members selected by the Executive Director and confirmed by the Executive Board. They will provide consultation and advice to the Executive Director on all operational matters. The Operational Advisory Board works with the Executive Director to identify operational goals and develop and implement operational procedures to accomplish those goals. Any recommendations of the Operational Advisory Board not implemented by the Executive Director shall be forwarded to the Executive Board or Board of Directors for review and consideration.

C. Village Advisory Boards - village associations in those villages with sufficient interest in the Corporate activities whose members are organized and operate similar to the Operational Advisory Board.

ARTICLE VI OFFICERS

SECTION 1. Designation. The officers of the Corporation shall be a President, a Secretary, a Treasurer, and such Vice Presidents and other officers, assistant officers and agents as the Board of Directors by resolution shall designate. With the exception of the Chairman of the Board of Directors, if such office be created, no officer need be a member of the Board of Directors. Any two offices may be held by the same person except the offices of President and Secretary.

SECTION 2. Election and Term of Office. The Board of Directors, at its first meeting after the annual appointment of directors, shall elect a President, a Secretary, and a Treasurer. Other officers, assistant officers or agents of the Corporation shall be elected at such meeting, or on such other occasions as the Board of Directors in its discretion shall from time to time deem appropriate. Except in the event of removal by the Board, death, resignation, disqualification or abolition of an office, the officers, assistant officers and agents of the Corporation shall hold office until their successors are chosen and qualified, or for such other period as the Board of Directors may determine.

SECTION 3. Vacancies and Removal.

A. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointments to such office, unless a majority of the directors vote to abolish such office (other than offices required by law).

B. Any officer, assistant officer or agent may be removed, or any office abolished (other than offices required by law), with or without cause, at any time by the affirmative vote of a majority of the Board of Directors.

C. Any officer, assistant officer or agent may resign at any time by giving written notice to the Board of Directors, the President or the Secretary of the Corporation. Any such resignation shall take effect upon receipt of such notice or at any later time specified therein. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective, provided that the Board of Directors may reject any postdated resignation by notice in writing to the resigning officer.

D. This section shall not affect the rights of the Corporation or any corporate officer, assistant officer or agent under any express contract of employment.

SECTION 4. Compensation. The salaries and other compensation of all officers, assistant officers and agents of the Corporation shall be fixed by the Board of Directors.

SECTION 5. President. The President shall be the chief executive officer of the Corporation, and shall have general policy direction of the business of the Corporation. He shall preside at meetings of the directors in the absence of a chairman; he shall be an ex officio member of all standing committees, unless the Board of Directors shall designate otherwise; he shall have general management and direction of the business of the Corporation, and all powers ordinarily exercised by the chief executive officer of the Corporation. He shall have the authority to sign and countersign all certificates, contracts, and other instruments of the Corporation, under the seal of the Corporation or otherwise, except where required by law to be otherwise signed and executed, and except where the signing and execution thereof shall be delegated or reserved by the Board of Directors to some other officer or agent of the Corporation. He shall perform all other duties as are incident to his office or are properly required of him by the Board of Directors.

SECTION 6. Secretary. The Secretary shall attend all meetings of the Board of Directors and shall record, or cause to be recorded, all votes to the minutes of all proceedings in a book to be kept for that purpose, and shall perform like duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the Board of Directors and shall perform other duties as may be prescribed by the Board of Directors or the Chairman or the President, under whose supervision he shall be. Unless otherwise prescribed by the Board of Directors, the Secretary shall have the authority to affix the corporate seal to any instrument requiring a seal, and when so affixed it shall be attested to by his signature or by the signature of an Assistant Secretary. The Board of Directors may give general authority to any other officer to affix the seal of the Corporation and to attest the affixing of his signature.

SECTION 7. Chairman. The Chairman of the Board of Directors, if one be appointed, may sign or countersign certificates, contracts and other instruments of the Corporation as authorized by the Board of Directors. In the absence or disability of the President, he may assume chief executive duties and general management and direction of the business of the Corporation, and all powers ordinarily exercised by the chief executive officer of the Corporation.

SECTION 8. Treasurer. The Treasurer shall keep accounts of all of the monies of the Corporation received and disbursed, and subject to the direction of the Board of Directors, shall safely keep all securities and valuables of the Corporation. He shall, from time to time, make such reports to the officers and the Board of Directors as may be required and shall perform other duties as the Board of Directors and/or the President shall, from time to time, delegate to him. In the absence of a Treasurer, the duties of the Treasures shall be discharged by the Secretary, or such other officer as the Board of Directors shall designate.

SECTION 9. Executive Director. The Executive Director shall be responsible for overall management, operation, and administration of all corporate operational activities, responsible to the Board of Directors. The Executive Director shall utilize an Operational Advisory Board for consultation on all operational matters and be responsible for the direction of the employed staff. The Executive Director may be an officer of the Corporation by resolution of the Board of Directors.

SECTION 10. Other Officers. Other officers, assistant officers or agents appointed by the Board of Directors shall exercise such powers and perform such duties as shall be determined from time to time by the Board of Directors. Unless otherwise specified by the Board of Directors, and Assistant Secretary or Assistant Treasurer shall have authority to exercise any powers delegated to them by the Secretary or Treasures, respectively and in the absence of the Secretary or Treasurer shall assume all powers and discharge all duties ordinarily exercised by such absent officer.

ARTICLE VII INDEMNIFICATION

SECTION 1. Non-Derivative Actions. Subject to the provisions of Sections 3, 5, and 6 below, the Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Corporation) by reason of or arising from the fact that they are or were a director or officer of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner or trustee of another corporation, partnership, joint venture, trust or other enterprise, and amount paid in settlement actually and reasonably incurred by them in connection with such action, suit or proceeding if (1.) they acted in good faith and a manner they reasonably believed to be in or not opposed to the best interests of the Corporation and, with respect to any criminal action or proceeding, did not know their conduct was unlawful, or (2.) their act or omission giving rise to such action, suit or proceeding is ratified, adopted or confirmed by the Corporation or the benefit thereof received by the Corporation. The termination of any action, suit or proceeding by judgement, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption, and settlement shall not constitute any evidence, that the person did not act in good faith and in a manner which they reasonably believed to be the best interests of the Corporation and, with respect to any criminal action or proceeding, did not know that their conduct was unlawful.

SECTION 2. Derivative Actions. Subject to the provisions of Sections 3, 5, and 6, below, the Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action or suit by or in the right of the Corporation to procure a judgement in its favor by reason of or arising from the fact that they are or were a director or officer of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner or trustee of another corporation, partnership, joint venture, trust or other enterprise against expenses (including attorney's fees) actually and reasonably incurred by them in connection with the defense or settlement of such action or suit if they (1.) acted in good faith and in a manner they reasonably believed to be in the best interests of the Corporation, or (2.) their act or omission giving rise to such action or suit is ratified, adopted, or confirmed by the Corporation or the benefit thereof received by the Corporation; provided, however, that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for gross negligence or deliberate misconduct in the performance of their duty to the Corporation unless, and only to the extent that the Court in which action or suit was brought, shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the Court shall deem proper.

SECTION 3. Determination of Right to Indemnification in Certain Cases. Subject to the provisions of Sections 5 and 6, below, indemnification under Sections 1 and 2 of this Article automatically shall be made by the Corporation unless it is expressly determined by a majority vote of a quorum of the Board of Directors consisting of directors who were not parties to such action, suit or proceeding that indemnification of the person who is or was an officer or director, or is or was serving at the request of the Corporation, as an officer, director, partner or trustee of another corporation, partnership, joint venture, trust or other enterprise, is not proper under the circumstances because they have not met the applicable standard of conduct set forth in Sections 1 or 2.

SECTION 4. Indemnification of Persons Other than Officers or Directors. In the event any person not included with the group of persons referred to in Sections 1 and 2 of this Article was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding of a type referred to in Sections 1 and 2 of this Article by reason of or arising from the fact that they is or was an employee or agent of the Corporation, or is or was serving at the request of the Corporation as an employee or agent of another corporation, partnership, joint venture, trust or other enterprise, the Board of Directors of the Corporation by a majority vote of a quorum (whether or not such quorum consists in whole or in part of directors who were parties to such action, suit or proceeding) may, but shall not be required to, grant such person a right of indemnification to the extent described in Sections 1 or 2 of this Article as if they were an officer or director referred to therein, provided that such person meets the applicable standard of conduct set forth in such sections.

SECTION 5. Successful Defense. Notwithstanding any other provision of Sections 1, 2, 3 or 4 of this Article, but subject to the provisions of Section 6, below, if a director, officer, employee or agent is successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Sections 1, 2, or 4 of this Article, or in defense of any claim, issue or matter therein, they shall be indemnified against expenses (including attorney fees) actually and reasonably incurred by them in connection therewith.

SECTION 6. Condition Precedent to Indemnification under Sections 1, 2, 4, or 5. Any person who desires to receive the benefit otherwise conferred by Sections 1, 2, 4 or 5 of this Article shall notify the Corporation reasonably promptly that he has been named a defendant to an action, suit or proceeding of a type referred to in Sections 1 or 2 and that he intends to rely upon the right of indemnification described in Sections 1, 2, 4 or 5 of this Article. The notice shall be in writing and mailed via registered or certified mail, return receipt requested, to the President or registered agent of the Corporation at the executive or registered office of the Corporation. Failure to give this notice required hereby shall entitle the Board of Directors of the Corporation by a majority vote of a quorum (consisting of directors who, insofar as indemnity of officers or directors is concerned, were not parties to such action, suit or proceeding, but who, insofar as indemnity of employees or agents is concerned, may or may not have been parties) to make a determination, in their sole discretion, that such failure was prejudicial to the Corporation under the circumstances and that, therefore, the right to indemnification referred to in Sections 1, 2, 4 or 5 of this Article shall be denied in its entirety or reduced in amount.

SECTION 7. Insurance. At the discretion of the Board of Directors, the Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against them and incurred by them in any such capacity, or arising out of their status as such, whether or not the Corporation would have the power to indemnify them against such liability under the provisions of this Article.

SECTION 8. Former Officers and Directors. At the discretion of the Board of Directors, the indemnification provisions of this Article or each or any of said provisions individually may be extended to a person who has ceased to be a director, officer, employee or agent and may inure to the benefit of their heirs, executors and administrators of such a person.

SECTION 9. Advance of Expenses. Expenses incurred by any person referred to in Sections 1, 2 or 4 in defending a civil or criminal action or proceeding may be paid by the Corporation in advance of the final disposition of the action or proceeding as authorized by the Board of Directors in the specific case upon receipt of an undertaking by or on behalf of the person to repay the amount unless it is ultimately determined that they are entitled to be indemnified by the Corporation as authorized in this Section.

SECTION 10. Purpose and Exclusivity. The indemnification referred to in the various Sections of this Article shall be deemed to be in addition to and not in lieu of any other rights to which those indemnified may be entitled under and statute, rule of law or equity, agreement, vote of Board of Directors or otherwise. The purpose of this Article is to augment, pursuant to A.S. 10.20.011(14), the other provisions of A.S. 10.20.011(14).

ARTICLE VIII
PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS

No director, officer, or employee of or member of a committee or person connected with the Corporation shall receive at any time any of the net earnings of the Corporation, provided that this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes as shall be fixed by the Board of Directors, and no such person or persons shall be entitled to share in the distribution of any of the Corporate assets upon the dissolution of the Corporation.

ARTICLE IX EXEMPT ACTIVITIES

Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws, no director, officer, employee or representative shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

ARTICLE X DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, or recreational purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law) as the Board of Directors shall determine. Any of such assets not so disposed of shall be disposed of by the Superior Court of the State of Alaska, exclusively for such purposes or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XI

SECTION 1. Checks, Drafts. All checks, drafts, loans or other orders for payment of money, notes or other evidences of indebtedness, issued in the name of or payable to the Corporation shall be signed or endorsed by such person or persons and in such manner as shall be determined from time to time by resolution of the Board of Directors. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

SECTION 2. Fiscal Year. The fiscal year of this Corporation shall be fixed by resolution of the Board of Directors.

SECTION 3. Headings. The headings contained in these Bylaws are for convenience only and shall not in any way affect the meaning or interpretation of these Bylaws.

ARTICLE XII TRANSACTIONS WITH OFFICERS AND DIRECTORS

No contract or other transaction between this Corporation and any other corporation or concern shall be invalid or voidable merely by reason of the fact that one or more directors or officers of this Corporation are interested in such other corporation or concern, and any director or officer of this Corporation may be a party to, interested in or profit from any contract or transaction with this Corporation, provided that the relationship, interest or profit is disclosed to the Board of Directors of this Corporation and the contract or transaction is duly approved by a majority of the directors present when such contract or transaction is authorized, approved or ratified, without counting the vote of any director so interested or related; however, such director may be counted for purposes of determining the existence of a quorum. No such director or officer shall be disqualified from acting as such, nor be liable for any loss incurred under or by reason of such contract or transaction, merely by reason of such relationship or interest. Where such director's vote is necessary to the transaction, it shall not be void or voidable if it is fair to this Corporation at the time it is authorized or approved.

ARTICLE XIII AMENDMENT OF BYLAWS

SECTION 1. Amendment and Repeal. Except as otherwise provided by law, the power to alter, amend or repeal these Bylaws and adopt new Bylaws shall be vested exclusively in the Board of Directors.

SECTION 2. Recordation. Whenever an amendment or new Bylaw is adopted, a copy thereof shall be kept in the minute book with the original Bylaws. If any Bylaw is repealed, the fact of such repeal and the date on which it occurred shall be recorded in the minute book and a copy thereof shall be placed next to the original Bylaws.

I, the undersigned, being the Secretary of Pneuma Corporation hereby certify the foregoing to be the Bylaws of said Corporation, as adopted by the Board of Directors, on the 29th day of April, 1988.

Robert K.
Secretary

ATTEST

James A. Sebesta, S.J.
President

Form **1023**
(Rev. March 1986)
Department of the Treasury
Internal Revenue Service

Application for Recognition of Exemption
Under Section 501(c)(3) of the Internal Revenue Code

For Paperwork Reduction Act Notice, see page 1 of the instructions.

OMB No. 1545-0056
Expires 3-31-89

To be filed in the key district for the area in which the organization has its principal office or place of business.

This application, when properly completed, constitutes the notice required under section 508(a) of the Internal Revenue Code so that an applicant may be treated as described in section 501(c)(3) of the Code, and the notice required under section 508(b) for an organization claiming not to be a private foundation within the meaning of section 509(a). (Read the instructions for each part carefully before making any entries.) If required information, a conformed copy of the organizing and operational documents, or financial data are not furnished, the application will not be considered on its merits and the organization will be notified accordingly. Do not file this application if the applicant has no organizing instrument (see Part II).

Identification

1 Full name of organization
Pneuma Corporation

2 Employer identification number (If none, see instructions)
92-0126787

3a Address (number and street)
2898 North Kobuk St.

Check here if applying under section: ☐ 501(e) ☐ 501(f) ☐ 501(k)

3b City or town, state, and ZIP code
Fairbanks, Alaska 99709

4 Name and telephone number of person to be contacted
James A. Sebesta, (S.J.) 907-479-6840

5 Month the annual accounting period ends
June

6 Date incorporated or formed
March 11, 1980

7 Activity codes
573 | 4[illegible]

8 Has the organization filed Federal income tax returns or exempt organization information returns? ☐ Yes ☐ No
If "Yes," state the form number(s), years filed, and Internal Revenue office where filed.

Type of Entity and Organizational Document (see instructions)

Check the applicable entity box below and attach a conformed copy of the organization's organizing document and bylaws as indicated for each entity.

☐ Corporation—Articles of incorporation and bylaws. ☐ Trust—Trust indenture. ☐ Other—Constitution or articles of association and bylaws.

Activities and Operational Information

1 What are or will be the organization's sources of financial support? List in order of size

Pneuma's basic financial support will be from public agencies, private foundations, and private individuals or organizations, supplemented by a sliding fee scale, based on a person's ability to pay, charged for treatment services since most patients are already below Federal poverty level standards. In order of size, the financial support is expected from:

1. Federal Office of Human Development Services.
2. State of Alaska Office of Alcoholism and Drug Abuse.
3. Private Foundations.
4. Private Individuals and Organizations.

2 Describe the organization's fund-raising program, both actual and planned, and explain to what extent it has been put into effect (include details of fund-raising activities such as selective mailings, formation of fund raising committees, use of professional fund raisers, etc.) Attach representative copies of solicitations for financial support.

Fund raising is accomplished by volunteers and consists of individual and mail solicitations from federal and state agencies, private foundations and individuals. Professional fund raisers will not be utilized. Pneuma's Executive Board authorizes solicitation approaches which are limited to direct mail solicitations, personal appeals, RFP replies, and Pneuma Associates memberships. Representative copies of solicitations are enclosed:

1. Bethel PATC RFP reply
2. State of Alaska Mental Health Grant Request
3. CDA and Suicide Prevention Grant Requests
4. Typical private foundation grant request letters
5. Pneuma Associates Solicitation and Funding Petition
6. General program abstract and explanations.

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and I have examined this application, including the accompanying statements, and to the best of my knowledge it is true, correct, and complete.

Robert K. Betz (Signature) — Vice President, Secretary (Title or authority of signer) — JAN 13, 1988 (Date)

Activities and Operational Information (Continued)

3 Give a detailed narrative description of the organization's past, present, and proposed future activities, and the purposes for which it was formed. The narrative should identify the specific benefits, services, or products the organization has provided or will provide. If the organization is not fully operational, explain what stage of development its activities have reached, what further steps remain for it to become fully operational, and when such further steps will take place. (Do not state the purposes and activities of the organization in general terms or repeat the language of the organizational documents.) If the organization is a school, hospital, or medical research organization, include enough information in your description to clearly show that the organization meets the definition of that particular activity that is contained in the instructions for Part VI-A.

Pneuma Corporation seeks to improve the mental health and personal worth of Alaskan native individuals and families suffering the effects of chemical dependency and/or substance abuse by providing a comprehensive program of education, prevention, outreach, and treatment that addresses the physical, psychological, social, and spiritual aspects of such conditions. Prevention of chemical dependency and substance abuse is the ultimate goal of Pneuma's efforts.

The Society of Jesus - Alaska (Jesuits), with a background of over 100 years of service in rural Alaska, are sponsors of the non-profit Pneuma Corporation, bringing their experience and talents to address the problem. Pneuma is an outgrowth of their social service work performed in the past, but is a separate organization dedicated to non-denominational activities.

Substance abuse and/or alcoholism and their effects have permeated the lifestyle of every family in rural Alaska, resulting in social turmoil that too often leads to premature death from violence, accident or suicide in astounding numbers. Affected families demonstrate socially unacceptable dysfunctional behavior which has led to depression, mental confusion, and suicide.

Substance abuse, chemical dependency, and alcoholism are treatable conditions, and Pneuma will provide such treatment with a family focus aimed at healing the entire family so they can perform as productive members of society, improving their overall quality of life and assisting the people in achieving that freedom which will assure their own control of their destiny while seeking a familial and community change in attitude that makes substance abuse socially unacceptable.

Prevention activities are designed to prevent dependency on alcohol and other drugs. All Pneuma efforts will concentrate on prevention as the ultimate goal of treatment efforts since it is a fact of medical history that no major public health problem was ever solved by treatment, but rather by prevention.

Outreach and intervention activity works to identify persons in need of services, alerting people to the availability of services, locating such services, and enabling people to enter such programs and accept the services available, seeking to reverse the early stages of dysfunctional drinking and prevent substance abuse.

Treatment will follow professionally accepted procedures, including both inpatient and outpatient treatment services. The family of the alcoholic or substance abuser requires treatment because it is futile to rehabilitate a substance abuser or alcoholic who will return to a family environment that is unchanged.

Aftercare provides an on-going program to help maintain addiction-free living helping clients to achieve their goals of an improved quality of life and a freedom to control their own destiny.

Associated with these activities, Pneuma will host conferences and meetings of interested parties that relate to the overall goal of the prevention of substance abuse and chemical dependency. Services began in July 1988. Pneuma's comprehensive program will proceed as funds are secured for operations.

4 The membership of the organization's governing body is:

a Names, addresses, and titles of officers, directors, trustees, etc	b Annual compensation
~~Rev. James A. Sebesta, S.J.; 2990 N. Kobuk St.~~ Fairbanks, Ak 99709, President, Director	no compensation
Robert K. Botz; 601 Barnette Street Fairbanks, Alaska 99701, V.Pres, Secretary, Director	no compensation
Dr. Robert Alberts, M.D., M.P.H.; Providence Hospital, P.O. Box 196604, Anchorage, Alaska 99519	no compensation
Chuck Shaver; 940 East 36th Ave	

Activities and Operational Information (Continued)

4 c Do any of the above persons serve as members of the governing body by reason of being public officials or being appointed by public officials? . . . . ☐ Yes ☒ No
If "Yes," name those persons and explain the basis of their selection or appointment

d Are any members of the organization's governing body "disqualified persons" with respect to the organization (other than by reason of being a member of the governing body) or do any of the members have either a business or family relationship with "disqualified persons?" (See the Specific Instructions for line 4d.) ☐ Yes ☒ No
If "Yes," explain.

e Have any members of the organization's governing body assigned income or assets to the organization, or is it anticipated that any current or future member of the governing body will assign income or assets to the organization? . . . . ☐ Yes ☒ No
If "Yes," attach a complete explanation stating which applies and including copies of any assignments plus a list of items assigned.

5 Does the organization control or is it controlled by any other organization? ☐ Yes ☒ No
Is the organization the outgrowth of another organization, or does it have a special relationship to another organization by reason of interlocking directorates or other factors? ☐ Yes ☒ No
If either of these questions is answered "Yes," explain

6 Is the organization financially accountable to any other organization? ☐ Yes ☒ No
If "Yes," explain and identify the other organization. Include details concerning accountability or attach copies of reports if any have been submitted.

7 a What assets does the organization have that are used in the performance of its exempt function? (Do not include property producing investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed, and when such final steps will be taken.

NO ASSETS OTHER THAN DONATIONS RECEIVED TO DATE — ALL CASH

b To what extent have you used, or do you plan to use, contributions as an endowment fund, i.e., hold contributions to produce income for the support of your exempt activities?

CONTEMPLATED PLAN TO USE [illegible] OF UNRESTRICTED DONATIONS TO ESTABLISH ENDOWMENT

8 Will any of the organization's facilities be managed by another organization or individual under a contractual agreement? ☐ Yes ☒ No
If "Yes," attach a copy of each contract and explain the relationship between the applicant and each of the other parties.

Activities and Operational Information (Continued)

9a Have the recipients been required or will they be required to pay for the organization's benefits, services, or products? ☒ Yes ☐ No
If "Yes," explain and show how the charges are determined.
A SLIDING FEE SCALE WILL BE USED BASED ON ABILITY TO PAY. LITTLE INCOME IS EXPECTED IN THIS MANNER AS MOST PATIENTS ARE ON WELFARE.

b Does or will the organization limit its benefits, services, or products to specific classes of individuals? ☐ Yes ☒ No
If "Yes," explain how the recipients or beneficiaries are or will be selected.

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10 Is the organization a membership organization? ☐ Yes ☒ No
If "Yes," complete the following:

a Describe the organization's membership requirements and attach a schedule of membership fees and dues.

b Describe your present and proposed efforts to attract members, and attach a copy of any descriptive literature or promotional material used for this purpose.
NO MEMBERS WILL BE ATTRACTED

c Are benefits, services, or products limited to members? ☐ Yes ☒ No
If "No," explain. BENEFITS PROVIDED FOR ALL, REGARDLESS OF RACE, CREED, OR SOCIAL STATUS

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11 Does or will the organization engage in activities tending to influence legislation or intervene in any way in political campaigns? ☐ Yes ☒ No
If "Yes," explain. (*Note: You may wish to file Form 5768, Election/Revocation of Election by an Eligible Section 501(c)(3) Organization to Make Expenditures to Influence Legislation.*)

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12 Does the organization have a pension plan for employees? ☐ Yes ☒ No

13a Are you filing Form 1023 within 15 months from the end of the month in which you were created or formed as required by section 508(a) and the related regulations? (See General Instructions.) ☒ Yes ☐ No

b If you answer "No," to 13a and you claim that you fit an exception to the notice requirements under section 508(a), attach an explanation of your basis for the claimed exception.

c If you answer "No," to 13a and section 508(a) does apply to you, you may be eligible for relief under regulations section 1.9100 from the application of section 508(a). Do you wish to request relief? ☐ Yes ☐ No

d If you answer "Yes," to 13c, attach a detailed statement that satisfies the requirements of Rev. Proc. 79-63.

e If you answer "No," to both 13a and 13c and section 508(a) does apply to you, your qualification as a section 501(c)(3) organization can be recognized only from the date this application is filed with your key District Director. Therefore, do you want us to consider your application as a request for recognition of exemption as a section 501(c)(3) organization from the date the application is received and not retroactively to the date you were formed (see instructions)? ☐ Yes ☐ No

Statement as to Private Foundation Status (see instructions)

1 Is the organization a private foundation? ☐ Yes ☒ No

2 If you answer "Yes," to question 1 and the organization claims to be a private operating foundation, check here ▶ ☐ and complete Part VII.

3 If you answer "No," to question 1, indicate the type of ruling you are requesting regarding the organization's status under section 509 by checking the box(es) below that apply:

a Definitive ruling under section 509(a)(1), (2), (3), or (4) ▶ ☒ Complete Part VI

b Advance ruling under ▶ ☐ sections 509(a)(1) and 170(b)(1)(A)(vi) or ▶ ☐ section 509(a)(2)—see instructions.

(*Note: If you want an advance ruling, you must complete and attach two Forms 872-C to the application.*)

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Financial Data

Statement of Support, Revenue, and Expenses for the period beginning July 1, 1988 **and ending** December 31, 19 88 (Began operations July 1, 1988)

***Note:** Complete the financial statements for the current year and for each of the three years immediately before it. If in existence less than four years, complete the statements for each year in existence. If in existence less than one year, also provide proposed budgets for the two years following the current year.*

Support and Revenue	1	Gross contributions, gifts, grants, and similar amounts received		1	62,887
	2	Gross dues and assessments of members		2	–
	3 a	Gross amounts derived from activities related to organization's exempt purpose (attach schedule)	18971		
	b	Minus cost of sales	9980	3c	8991
	4 a	Gross amounts from unrelated business activities (attach schedule)	–		
	b	Minus cost of sales	–	4c	–
	5 a	Gross amount received from sale of assets, excluding inventory items (attach schedule)	–		
	b	Minus cost or other basis and sales expenses of assets sold	–	5c	–
	6	Investment income (see instructions)		6	331
	7	Other revenue (attach schedule)		7	–
	8	**Total support and revenue**		8	72209
Expenses	9	Fundraising expenses		9	4789
	10	Contributions, gifts, grants, and similar amounts paid (attach schedule)		10	–
	11	Disbursements to or for benefit of members (attach schedule)		11	–
	12	Compensation of officers, directors, and trustees (attach schedule)		12	–
	13	Other salaries and wages		13	45639
	14	Interest		14	–
	15	Rent		15	–
	16	Depreciation and depletion		16	–
	17	Other (attach schedule)		17	8949
	18	**Total expenses**		18	59377
	19	Excess of support and revenue over expenses (line 8 minus line 18)		19	12832

Balance Sheet

(at the end of the period shown above)

Assets			
20 Cash:	a Interest bearing accounts	20a	7842
	b Other	20b	–
21	Accounts receivable, net	21	7999
22	Inventories	22	–
23	Bonds and notes (attach schedule)	23	-
24	Corporate stocks (attach schedule)	24	–
25	Mortgage loans (attach schedule)	25	-
26	Other investments (attach schedule)	26	–
27	Depreciable and depletable assets (attach schedule)	27	–
28	Land	28	–
29	Other assets (attach schedule)	29	3098
30	**Total assets**	30	18939
Liabilities			
31	Accounts payable	31	5678
32	Contributions, gifts, grants, etc., payable	32	–
33	Mortgages and notes payable (attach schedule)	33	–
34	Other liabilities (attach schedule)	34	–
35	**Total liabilities**	35	5678
Fund Balances or Net Worth			
36	Total fund balances or net worth	36	13261
37	**Total liabilities and fund balances or net worth (line 35 plus line 36)**	37	18939

If there has been any substantial change in any aspect of your financial activities since the period shown above ended, check the box and attach a detailed explanation ☐

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Part IV Non-Private Foundation Status (Definitive ruling only)

A.—Basis for Non-Private Foundation Status (Check one of the boxes below.)

The organization is not a private foundation because it qualifies as:

	✓	Kind of organization	Within the meaning of	Complete
1		a church or a convention or association of churches	Sections 509(a)(1) and 170(b)(1)(A)(i)	
2		a school	Sections 509(a)(1) and 170(b)(1)(A)(ii)	
3		a hospital or a cooperative hospital service organization or a medical research organization operated in conjunction with a hospital	Sections 509(a)(1) and 170(b)(1)(A)(iii)	
4		a governmental unit described in section 170(c)(1)	Sections 509(a)(1) and 170(b)(1)(A)(v)	
5		being organized and operated exclusively for testing for public safety	Section 509(a)(4)	
6		being operated for the benefit of a college or university that is owned or operated by a governmental unit	Sections 509(a)(1) and 170(b)(1)(A)(iv)	Part VI.—B
7	✓	normally receiving a substantial part of its support from a governmental unit or from the general public	Sections 509(a)(1) and 170(b)(1)(A)(vi)	Part VI —B
8		normally receiving not more than one-third of its support from gross investment income and more than one-third of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions)	Section 509(a)(2)	Part VI.—B
9		being operated solely for the benefit of or in connection with one or more of the organizations described in 1 through 4, or 6, 7, and 8 above	Section 509(a)(3)	Part VI.—C

B.—Analysis of Financial Support (Complete if you checked box 6, 7, or 8 above.)

OPERATIONS BEGAN July 1, 1983	(a) Most recent tax year July 1 - Dec 31 19 83	(Years next preceding most recent tax year) (b) 19	(c) 19	(d) 19	(e) Total
1 Gifts, grants, and contributions received	62887				62887
2 Membership fees received	—				—
3 Gross receipts from admissions, sales of merchandise or services, or furnishing of facilities in any activity that is not an unrelated business within the meaning of section 513	18971	NOT APPLICABLE	NEW ORGANIZATION	OPERATIONS BEGAN July 1, 1983	18971
4 Gross investment income (see instructions for definition)	331				331
5 Net income from organization's unrelated business activities not included on line 4	NONE				NONE
6 Tax revenues levied for and either paid to or spent on behalf of the organization	NONE				NONE
7 Value of services or facilities furnished by a governmental unit to the organization without charge (not including the value of services or facilities generally furnished the public without charge)	NONE				NONE
8 Other income (not including gain or loss from sale of capital assets)—attach schedule	NONE				NONE
9 Total of lines 1 through 8	82,189				82,189
10 Line 9 minus line 3	82,189				82,189
11 Enter 2% of line 10, column (e) only					1644

12 If the organization has received any unusual grants during any of the above tax years, attach a list for each year showing the name of the contributor, the date and amount of grant, and a brief description of the nature of such grant. Do not include such grants on line 1 above—(See instructions).

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Non-Private Foundation Status (Definitive ruling only) (Continued)

B.—Analysis of Financial Support (Continued)

*3 If the organization's non-private foundation status is based on:

- **a** Sections 509(a)(1) and 170(b)(1)(A)(iv) or (vi).—Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts for the entire period were more than the amount shown on line 11.
SEE ATTACHED LISTING
- **b** Section 509(a)(2).—For each of the years included on lines 1, 2, and 3, attach a list showing the name of and amount received from each person who is a "disqualified person." NO DISQUALIFIED PERSON AMOUNTS

For each of the years on line 3, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than $5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any governmental agency or bureau.

C.—Supplemental Information Concerning Organizations Claiming Non-Private Foundation Status Under Section 509(a)(3)

1 Organizations supported by applicant organization:

Name and address of supported organization	Has the supported organization received a ruling or determination letter that it is not a private foundation by reason of section 509(a)(1) or (2)?
	☐ Yes ☐ No
	☐ Yes ☐ No
	☐ Yes ☐ No
	☐ Yes ☐ No
	☐ Yes ☐ No

2 To what extent are the members of your governing board elected or appointed by the supported organization(s)?

3 What is the extent of common supervision or control that you and the supported organization(s) share?

4 To what extent do(es) the supported organization(s) have a significant voice in your investment policies, the making and timing of grants, and in otherwise directing the use of your income or assets?

5 Does the mentioning of the supported organization(s) in your governing instrument make you a trust that the supported organization(s) can enforce under State law and compel to make an accounting? ☐ Yes ☐ No
If "Yes," explain.

6 What portion of your income do you pay to each supported organization and how significant is the support to each?

7 To what extent do you conduct activities that would otherwise be carried out by the supported organization(s)? Explain why these activities would otherwise be carried on by the supported organization(s).

DOES NOT APPLY

8 Is the applicant organization controlled directly or indirectly by one or more "disqualified persons" (other than one who is a disqualified person solely because he or she is a manager) or by an organization which is not described in section 509(a)(1) or (2)? ☐ Yes ☒ No
If "Yes," explain.

PNEUMA CORPORATION | INCOME STATEMENT | EMPLOYER ID [illegible]
Six months Actual Results plus Three Year Projection | For IRS Form 1023

INCOME	ACTUAL SIX MONTHS JUL-DEC 88	% Income	END 6/30/89 PROJECTED FIRST YEAR TOTALS FULL BUDGET	% Income	END 6/30/89 PROJECTED FIRST YEAR TOTALS "MINIMAL" BUDGET	% Income	END 6/30/90 PROJECTED SECOND YEAR TOTALS REGULAR BUDGET	% Income	END 6/30/91 PROJECTED THIRD YEAR TOTALS REGULAR BUDGET	% Income
Pneuma Associates Income	$6,394	2.73%	$24,630	2.93%	$19,225	2.91%	$56,800	2.74%	$72,000	2.53%
Site Services Income	$7,000	3.04%	$24,300	2.91%	$24,300	3.66%	$28,730	1.39%	$38,000	1.42%
Seminars Etc Income	$11,000	5.10%	$24,000	2.96%	$22,000	3.43%	$46,640	2.34%	$55,000	1.93%
Taxi & Laundry Income	$63	0.03%	$1,000	0.12%	$1,000	0.15%	$2,000	0.10%	$2,500	0.09%
Interest Income	$331	0.14%	$1,000	0.12%	$1,000	0.15%	$1,730	0.08%	$2,500	0.09%
Private Donation Income	$52,300	22.07%	$133,000	16.08%	$133,000	20.16%	$320,000	16.07%	$530,000	19.36%
State Grant Income	$0	0.00%	$130,000	15.39%	$93,000	14.38%	$517,063	24.92%	$985,000	34.59%
Federal Grant Income	$0	0.00%	$180,000	21.32%	$50,000	7.53%	$750,000	36.13%	$850,000	29.77%
Miscellaneous Income	$3,392	1.46%	$16,000	2.00%	$16,000	2.53%	$20,000	0.96%	$25,200	0.88%
Non-Cash rent Donation	$150,000	64.60%	$300,000	35.67%	$300,000	46.17%	$300,000	14.46%	$300,000	10.51%
TOTAL INCOME	$232,180	100.00%	$838,434	100.00%	$664,130	100.00%	$2,074,963	100.00%	$2,852,300	100.00%
Less non-cash rent Income	($150,000)		($300,000)		($300,000)		($300,000)		($300,000)	
TOTAL CASH INCOME	$82,180		$538,434		$364,130		$1,774,963		$2,552,300	

EXPENSES		% Expenses		% Expenses		% Expenses		% Expenses		% Expenses
Salaries & Payroll Taxes	$46,630	20.01%	$364,633	43.50%	$231,119	34.80%	$1,327,700	63.17%	$1,557,991	54.57%
Repairs & Maintenance	$550	0.25%	$16,820	2.00%	$22,700	3.42%	$46,640	2.25%	$140,000	5.10%
Rent Expense	$150,000	64.38%	$300,000	35.67%	$300,000	45.17%	$425,000	20.48%	$450,000	15.78%
Facility Utilities	$8,292	3.78%	$48,640	5.81%	$48,640	7.32%	$78,360	3.78%	$122,000	4.27%
Travel Expenses	$2,443	1.11%	$22,400	2.69%	$16,400	2.47%	$124,600	6.00%	$213,200	7.47%
Office Expenses	$2,000	0.91%	$4,345	0.52%	$4,300	0.65%	$18,700	0.90%	$35,500	1.25%
Fund Raising Expenses	$4,780	2.18%	$9,630	1.15%	$5,575	0.84%	$18,640	0.90%	$25,700	0.90%
Insurance Costs	$3,670	1.67%	$13,420	1.60%	$7,675	1.16%	$25,300	1.22%	$48,640	1.70%
General Supplies	$279	0.13%	$10,873	1.30%	$5,250	0.79%	$18,925	0.91%	$32,400	1.14%
Program Supplies	$486	0.22%	$9,600	1.16%	$9,600	1.45%	$18,730	0.90%	$46,899	1.64%
Food & Household Supplies	$1,171	0.53%	$24,630	2.94%	$9,445	1.42%	$49,628	2.39%	$124,350	4.35%
Administrative Expenses	$0	0.00%	$11,274	1.34%	$3,330	0.50%	$22,500	1.08%	$48,900	1.71%
TOTAL EXPENSES	$219,237	100.00%	$838,434	100.00%	$664,130	100.00%	$2,074,963	100.00%	$2,852,000	00.00%
Less non-cash rent cost	($150,000)		$300,000		$300,000		$300,000		$300,000	
TOTAL CASH EXPENSES	$69,237		$538,434		$364,130		$1,774,963		$2,552,000	

PNEUMA CORPORATION BUDGET EXPLANATION

Pneuma Corporation has been in operation since July, 1988. Accordingly, actual expenses are presented for the period July - December, 1988 plus two projections to the end of the first fiscal year ending June 30, 1989. Which budget will be used depends on fund raising results. The "Minimal" budget reflects an inability to raise sufficient income to support residential [illegible] treatment, showing a corresponding reduction in anticipated expenses.

The second and third year budgets depend on income received, but show our reasonable anticipated income and corresponding expenses. With the expanded budgets, services will expand to include services to outlying villages as well as transportation and associated costs for a residential village treatment program at St. Mary's where entire villages will be transported for treatment.

State and Federal grants are our major anticipated income source. Preliminary discussions with these agencies indicate a willingness to participate depending on appropriations. The Pneuma program will be adjusted to whatever income is received.

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2834

Pneuma Corporation
2890 North Kbouk St.
Fairbanks, Alaska 99709

IRS Form 1023 Attachment

Employer ID #92-0126707

Part V - Financial Data - Attached Schedule

Line 3a - Gross amounts derived from activities related to organization's exempt purpose:

Conference Income.........	$11,840.00
Facility use Income.......	$ 7,131.00
Total.............	$18,971.00

Line 3b - Minus Cost of Sales:

Utility charges...........	$ 7,895.00
Medical Supplies..........	$ 85.00
Repairs & Maint...........	$ 550.00
Misc. Supplies............	$ 279.00
Food Supplies.............	$ 1,171.00
Total.............	$ 8,980.00

Line 9 - Fundraising Expenses:

Postage expense...........	$ 1,196.00
Office Supplies...........	$ 3,593.00
Total..............	$ 4,789.00

Line 13 - Other salaries and wages: Includes Payroll Taxes.

Line 17 - Other Expenses:

Program items costs.......	$ 250.00
Fees & Licenses...........	$ 365.00
Travel costs..............	$ 2,443.00
Telephone costs..........	$ 397.00
Reference Materials.......	$ 151.00
Insurance costs...........	$ 3,670.00
Office Supplies...........	$ 1,673.00
Total..............	$ 8,949.00

Line 29 - Other assets:

Prepaid Insurance/Advances	$3,090.00

Financial data is presented for operations through December 31, 1988. Operations began July 1, 1988 and there is no previous history.

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA [illegible]
[illegible]

Pneuma Corporation
2890 North Kbouk St.
Fairbanks, Alaska 99709

IRS Form 1023 Attachment

Employer ID #92-0126707

Part VI - Analysis of Financial Support

Paragraph A ... List showing the name and amount contributed by each person whose total gifts for the entire period were more than the amount shown on line 11. ($1,644.00).

Society of Jesus, Alaska ....Amount donated ...$50,000.00
2890 N. Kobuk St., Fairbanks, Alaska 99709
Marion E. Betz....................Amount donated ...$ 2,000.00
755 S. Clinton #58, Denver, Colorado 80231
All other gifts were less than $250.00 from any individual.

Line 13b - No amounts received from "disqualifed persons".
- Line 3 receipts from any entity exceeding $5,000:
Yukon Kuskokwim Health Corporation - Conference costs
Amount received...............$5,500.00
Catholic Bishop of Northern Alaska - Facility use costs
Amount received...............$7,067.97

In 1988 Pneuma applied for grants from the State of Alaska to support the non-profit efforts of the corporation. No funds have been received, but a notice of award has been issued indicating that Pneuma will receive approximately $60,000 from the State Office of Alcoholism and Drug Abuse and the State Department of Mental Health. These amounts are not reflected in these statements since the awards have not been finalized as of December 31, 1988.

1. Pneuma is organized for charitable and educational purposes. No part of the net earnings inure to the benefit of a shareholder or individual.

2. Pneuma will not engage in prohibited political activities and serves a public, not private, interest. Business operations, i.e. treatment services, further the exempt purposes.

3. More than one third of Pneuma's support will come from a combination of gifts, grants, contributions, or gross receipts from performance of services in the related exempt business activity. No more than 1/3 of Pneuma's support will come from gross investment income or unrelated business income.

4. Substantially all adjusted net income and investment income return directly for the active conduct of the education, prevention and treatment of substance abusers, for which Pneuma was organized.

5. Financial support will be received from State agencies, private foundations and the general public.

PNEUMA CORPORATION

P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

AS Submitted 4/12/89

April 12, 1989

Mr. Ray Jensen, Administrative Officer
State Office of Alcoholism and Drug Abuse
P. O. Box H-05F
Juneau, Alaska, 99811-0607

Re: FY 90 Grant Application
Alcoholism and Co-dependency Family Treatment

Dear Mr. Jensen,

Enclosed are six copies of our application for Pneuma's basic FY 90 program for inpatient and outpatient treatment for alcohol abuse, alcoholism, and co-dependency.

The program provides direct family-oriented treatment that avoids duplication of other service provider's programs.

We believe that the family orientation will yield significant prevention benefits for youth and fits well into Pneuma's comprehensive efforts. Prevention, Training, and Village Treatment are subjects of separate grant requests.

The program is cost effective. The donated facility rent allows us to provide residential services at a projected cost of $1,553 per person which should compare most favorably with other SOADA funded residential programs.

I hope you can share our enthusiasm for this professionally challanging family program. We will be happy to supply any additional information you may require so this program can be implemented.

Very Truly Yours,

PNEUMA CORPORATION

Robert K. Betz

Robert K. Betz, Vice President

ADMINISTRATION - 2990 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-6848
FINANCE - 801 BARNETTE ST. FAIRBANKS AK. 99701 PHONE 907-452-2272

DEPARTMENT OF HEALTH & SOCIAL SERVICES

GRANT APPLICATION

State Granting Agency
State Office of Alcoholism and Drug Abuse (SOADA)

Applicant Organization Name
Pneuma Corporation

Business Address
Finance Office 801 Barnette Street, Fairbanks, Alaska 99701

Mailing Address
2090 North Kobuk Street, Fairbanks, Alaska 99709
5. Phone 907-479-6848

Program or Project Name
Pneuma Family Life Program - TREATMENT COMPONENT

Project Location
St. Mary's Mission, St. Mary's, Alaska 99658

Mailing Address
P. O. Box 172, St. Mary's, Alaska 99658
9. Phone 907-438-2534

10. Type of Program
ALCOHOLISM AND CO-DEPENDENCY FAMILY TREATMENT

11. Proposed Budget Years FY 90 and FY

12. Budget Period Beginning July 1, 1989 Ending June 30, 1990

13. Type of Application ☒ New ☐ Continuation

14. Type of Organization ☒ Private/Non-profit ☐ Government

15. Date of Incorporation (Non-profit only) March 1988

CONTACT INDIVIDUALS

16. Authorizing Person
James A. Sebesta, President
Phone 907-479-6848
Mailing Address
2090 North Kobuk Street, Fairbanks, Alaska 99709

17. Financial Management
Robert K. Betz, Vice President
Phone 907-452-2372
Mailing Address
801 Barnette Street Fairbanks, Alaska 99701

18. Project Director
Ardi Bury, Executive Director
Mailing Address
P.O. Box 172 St. Mary's Alaska 99658

19. Amount of State Funds Request
FY $
FY 90 $ 816,400
FY 90 $ 816,400

20. List all other State Health & Social Services or Federal Health & Human Svcs. grants received or applied for by applicant during proposed budget years

Type	State/Federal	Amount	Period
Prevention Program	(Applied to SOADA)	$181,425	FY 90
Training Program	(Applied to SOADA)	$136,600	FY 90
Village Treatment Program	(Applied to SOADA)	$797,855	FY 90

21. Service Component Locations	Business Address	Mailing Address	Phone
All Services headquartered at St. Mary's Mission		P.O. Box 172 St. Mary's Alaska 99658	907-438-2534

TERMS AND CONDITIONS: The undersigned grant applicant agrees to abide by the grant regulations and policies as described by law and delineated in 7AAC 78 and the Grant Application Package.

Authorized Signature James A. Sebesta
Date 4/12/89

FOR STATE USE ONLY

Date Appl. Received-Control Office	Application Number No.	Approved
Date Reviewed by Counsel	Date	Not Approved
Date Award Decision Made	Obligated Process No.	Amount Approved
	Number	Local Required Match

PNEUMA CORPORATION

P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2834

FUNDING REQUEST and PROGRAM DETAILS
for
Pneuma Corporation Family Life Program
ALCOHOLISM AND CO-DEPENDENCY TREATMENT

April 1989
FY 90 SOADA GRANT PROPOSAL

Pneuma seeks a $916,400 FY 90 grant for an inpatient and outpatient family-oriented treatment program for alcoholism and other drug addiction and co-dependency treatment. This is the base program of Pneuma's comprehensive FY 90 program efforts.

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Acknowledgement of Receipt...End

Finance Contact Person: Robert K. Betz, Fairbanks Finance Office

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA [illegible]
[illegible]

PROJECT SUMMARY

Family Life Program
ALCOHOLISM AND CO-DEPENDENCY TREATMENT

Pneuma submits this program as an effective means of combatting the enormous social costs, personal tragedies, violence, family abuse, neglect and desperation caused by the problems of alcohol or other drug abuse, alcoholism, and co-dependency. The program addresses the physical, psychological, social, and spiritual facets of the problem in an intensive family-oriented residential program. The program provides treatment for an alcoholic family member's disease as well as the family's co-dependency. Healthy families are made healthier.

The Family Life Treatment Program provides education, group and individual counseling and therapy sessions designed to help participants develop an integrated understanding of self and the family disease of co-addiction, an understanding of abstinence, and the necessity of establishing a life-long aftercare and self-care plan.

The program is the basic component of a cohesive and comprehensive program of education, prevention, outreach, intervention, and treatment. Other service components are described in other Pneuma grant requests. All efforts are aimed at prevention. Other diseases such as smallpox and tubercolousis were conquered through prevention, and alcoholism and co-dependency can be similarly conquered.

The program will serve some 590 residents of the Yukon-Kuskokwim Delta with inpatient and outpatient services. The program focuses on intensive residential treatment for families including youth. Professional counselors with a firm knowledge and skills background will provide these services.

Pneuma is a non-profit, non-denominational corporation in which professionally qualified and committed people collaborate with volunteers. The corporation has local and state-wide advisory boards which provide input, operational assistance and direction.

The FY 90 funding request is $916,400, or $1,553 per person treated. This amount is supplemented by $364,000 in other and in-kind donations.

ADMINISTRATION · [illegible] FAIRBANKS AK. [illegible] PHONE [illegible]
FINANCE · [illegible] FAIRBANKS AK. [illegible] PHONE [illegible]

Pneuma Corporation Family Life Program
ALCOHOLISM AND CO-DEPENDENCY TREATMENT

GENERAL SUMMARY

Too many families in Western Alaska are caught in the alcohol and other drug addiction spiral. Treatment or tragedy are the alternatives. Pneuma provides treatment that offers health and hope - treatment for an alcoholic's disease and treatment for the family's co-dependency.

This grant application is for basic residential and outpatient treatment services. It follows state submittal guidelines, followed by an appendix that further explains Pneuma's concentration on family treatment.

Amount Requested: State Grant request is $ 916,400 or $ 1,553 per person
Total project costs are $1,280,400 or $ 2,170 per person

STATEMENT OF NEED

1. When an individual suffers from alcohol or other drug abuse, the whole family suffers the effects. It is impossible for a family to adequately cope with an addiction without becoming wrapped up in its lunacy. Predictable family member coping mechanisms are often unknowingly acquired and displayed.

2. The family must survive this degenerative condition. Treatment help is available, though many services provide only fragmented assistance. Pneuma's program is a cohesive collection of prevention, outreach, intervention, and treatment programs. The St. Mary's facilities can accommodate up to 110 people in treatment at a time, limited only by funding restraints that would limit staffing and services.

3. Violence, abuse, neglect, accidents, and suicides in the region often have alcohol abuse as a root cause. Nearly 50% of the region's Alaska Natives die before reaching their 45th birthday. The State Troopers have indicated there is no violent crime and few accidental deaths in rural Alaska that are not alcohol related. The Anchorage News's "A People in Peril" documented the need for a solution to the problem. The people in the villages have expressed their need for a family and community solution and formally identify alcohol abuse as the leading health problem.

4. Utilization of the Phillips Alcoholism Treatment Center (PATC) in Bethel is quite high, and long entry waiting lists are common. PATC has limited physical facilities that cannot accommodate residential family treatment. Pneuma can accommodate the need for residential or outpatient treatment for individuals, adolescents, and entire families, emphasizing the family treatment to avoid duplication of PATC, yet permitting overflow accommodation of individuals as necessary.

TARGET POPULATION

1. This project targets the approximately 10,500 residents of the Western Alaska Yukon-Kuskokwim Delta area. Nearly 90% of the population is Yupik Eskimo, with nearly 40% being between 15 to 34 years old. Residents from the following villages have expressed special interest in the family program: St. Mary's, Mountain Village, Pitka's Point, Pilot Station, Marshall, Russian Mission, Kotlik, Emmonak, Alakanuk, Sheldon Point, Scammon Bay, Chevak, Hooper Bay, Newtok, Tununak, Toksook, Nightmute, Chefornak, and Bethel.

2. Families will come to St. Mary's for an intensive Family Life Program that provides treatment for the alcoholic as well as for the family's co-dependency. Aftercare services will be provided for those completing a treatment program. In FY90 Pneuma expects to meet the following treatment targets:

Outpatient individuals = 40 people
Outpatient families = 120 people
Inpatient individuals = 180 people
Inpatient families = 250 people
TOTAL TARGET TREATMENT POPULATION = 590 people

The program anticipates the following treatment population breakdown by month: July - 16; Aug - 20; Sept - 34; Oct - 40; Nov - 50; Dec - 60; Jan - 65; Feb - 65; Mar - 65; Apr - 65; May - 60; June - 50.

3. Associated prevention, outreach, intervention, and publicity strategies, subjects of separate grant requests, will reach all residents with specific programs directed at appropriate targeted subgroups as funding permits. Referrals for treatment will come from an excellent village communication network, employers, other service agencies, and the justice system.

PROJECT GOALS AND OBJECTIVES

1. Pneuma will provide a full complement of individualized, culturally-sensitive, family-oriented, professional treatment services with individualized care plans and treatment for an alcoholic's addiction and a family's co-dependency.

2. Pneuma's programs will help treatment participants develop an integrated understanding of self and their family disease, an understanding of abstinence, and the necessity of establishing a life-long aftercare and selfcare plan.

3. Pneuma's goal is to improve the overall quality of life in Western Alaska whereby the people develop and maintain those forms of healthy daily living, activity, and leadership that assist them in becoming a self-realizing and self-sustaining community in which alcohol and other drugs are placed in their proper perspective.

4. More specific project goals under this grant request are:
A. Provide family-oriented, quality inpatient and outpatient treatment.
B. Provide treatment services to 590 patients in FY 90. Include services for adults and adolescents, but focus on family treatment and healing.
C. Integrate other Pneuma prevention, outreach, intervention, publicity, etc. efforts into a cohesive attack on the problems of alcohol abuse, alcoholism, and co-dependency.

5. Staffing to accomplish the project goals are detailed in the budget detail. Certified counselors will be responsible for all treatment activities, supported by additional staff and volunteers. Each objective will be measured quantitatively and qualitatively in accordance with the evaluation section of this proposal.

FUNDING LIMITATIONS

1. Without full funding this project can be scaled down by treating fewer patients. Other Pneuma grant requests cover separate prevention and outreach strategies. We have provided this separation so funding limitations can be accommodated.

COUNSELORS - PROGRAM GUIDES

1. Effective counselors lead others to a fuller view of life while fulfilling the counselor in the process. Counselors and helping families love generously and are loved in return. They are alert and responsive, living with the rhythms of their own bodies and helping others to do likewise. They find life meaningful and satisfying, yet can accept suffering when it comes. Counselors are guides who willingly share their enlightenment, freedom, and caring, not so much as an expert, but as a model - an example of a "turned-on" life. They pursue wholeness in themselves and help others to find wholeness and satisfaction. They give time, energy, and concern in generous measure. They must show willingness to challenge what currently exists and to accept the struggle that goes with change - including change in themselves. As guides, they respect patients as individuals, letting them take responsibility for their own changes.

2. Recovered alcoholics and their families will be a part of Pneuma's treatment team. The understanding and empathy gained from their own experiences will provide a valuable contribution to the recovery process. Specialized knowledge of alcoholism and training specific to treatment of the disease of alcoholism is necessary, regardless of traditional education, degrees, or the experience of recovery. Pneuma education programs will impart such knowledge and training.

3. Many service organizations enlist persons of skill without adequate spirit. Some enlist persons of spirit without adequate skills. Pneuma will seek to enliven the spirit of skilled professionals and improve the skills of persons of spirit.

4. All employees will be expected to share a positive approach to Pneuma's vision and goals, adhere to provisions of Pneuma's Policy Manual, and possess talents and abilities that will enhance the treatment services. Certified counselors will be in charge of all treatment efforts and share their training, knowledge, and experience with helping families and volunteers. A qualified Treatment Director supervises the professional staff and treatment helpers. Staff requirements for the program are:

1 ea	Executive Director	1 ea	Treatment Director
1 ea	Administrative Assistant	1 ea	Secretary/Receptionist
3 ea	Food Service/Maint./Housekeeping	4 ea	Aides/Residence Monitors
	Counselors or counselor trainees:	1 ea	Volunteer Coordinator
2 ea. reqd.	Alcoholic patient peer group responsibility		
2 ea. reqd.	Spouse peer group responsibility		
2 ea. reqd.	Adolescent peer groups responsibility		
2 ea. reqd.	Children peer groups responsibility		

Volunteers and helping families in indeterminate numbers will assist throughout the treatment process. The 20 identified positions will enable the program to treat up to 75 patients at one time, 590 people in a year. The facility can accommodate up to 110 people at one time so those desiring treatment should never be turned away if sufficient treatment staff is available.

TREATMENT PROGRAM METHODOLOGY

1. Pneuma's comprehensive program begins with education and prevention strategies. These lead to interventions or an opportunity for families to enter the Family Life Program. It is not necessary for the addicted family member to join the Program. Likewise, healthy families are encouraged to be involved in the program to help others and reinforce their own family health.

2. Each family is welcomed to the Center by a sponsor family or counselor who will assist them in adjusting to the treatment routines. Counselors will take a family history and assess the treatment requirements, developing an individualized treatment program for each family member as well as for the family as a whole. Peer groups assignments are made as the family settles into the varying length but structured program.

3. Daily responsibilities include housekeeping and meal preparation chores. Individual and group therapy sessions are scheduled throughout the day with occasional workshop meetings with larger groups. Education is provided on all aspects of the disease of alcoholism and its associated co-dependency. The program integrates Native Alaskan cultural, spiritual, and traditional concepts and assists progress on the internal motivation, the self-esteem, the skills, and the external support necessary for independent and responsible living.

PROGRAM SPECIFICS

1. A typical weekly program agenda will be:

Weekends are similar except as noted:

	Monday through Friday	Saturday	Sunday
7:30 - 9:00 AM	Wakeup, housekeeping, breakfast		Free
9:00 - 9:30 AM	Spiritual Counseling	general cleanup	Free
9:30 - 9:45 AM	Break	general cleanup	Wakeup
9:45 -11:30 AM	Group Counseling	1 to 1 counseling	Church
11:30 -12:00 AM	Social time		Visiting
12:00 - 1:00 PM	Lunch, cleanup		
1:00 - 2:15 PM	Family or indiv. counseling	1 to 1 counseling	
2:15 - 3:30 PM	Life Skills Education	1 to 1 counseling	Recreation
3:30 - 4:30 PM	Twelve Step study	Recreation	Visiting
4:30 - 5:30 PM	Social time - Recreation		
5:30 - 6:30 PM	Dinner and cleanup		
6:30 - 7:00 PM	Social time		
7:00 - 8:00 PM	AA or Alanon meetings (2 per week outside)		
8:00 - 9:00 PM	Social time		
9:00 -10:00 PM	Study period		
10:00 -11:00 PM	Social time		
11:00 PM	Lights out		

Social time is an opportunity for workshops or general reinforcement of group session topics.

2. Social time will include coordinated activities with other Pneuma Programs - Prevention, education, etc.. Family group functioning and interaction will be emphasized, and family units will have assigned duties as a part of the program therapy.

3. The therapy sessions include a structured series of group counseling that lead patients to a fuller understanding of the disease of addiction. Films and video use will be minimal so the group interaction can function most effectively. The sessions are the responsibility of the professional treatment staff and include:

1. ORIENTATION TO TREATMENT - Why alcoholism/addiction treatment; What happens in treatment; Introduction to the facility and staff; Questions.
2. ADDICTION AS A FAMILY DISEASE - Addiction is a family disease; How it affects families; How the family concept works in treatment; What it takes to reintegrate a family; Questions.
3. ALCOHOLICS ANONYMOUS AS A RESOURCE - What is AA, Alanon; How and why it works; How to get the most from AA; Sponsors; Questions.

4. MEDICAL ASPECTS OF ADDICTION - ALCOHOLISM - How alcohol affects the body; Why it causes these effects; Is the damage permanent; What to stop or reverse the damage; Good health practices; Questions.

5. MEDICAL ASPECTS OF ADDICTION - OTHER DRUGS - Marijuana, Cocaine, Prescription drugs, antabuse; Over-the-counter drugs; Things to avoid; Questions.

6. BEHAVIORAL/EMOTIONAL EFFECTS OF ALCOHOL AND OTHER DRUGS - Down the dip chart; Up the other side; What happens in relapse; How these effects affect other family members; How long to complete recovery; Questions.

7. FAMILY SYMPTOMS - How addiction affects the family; Family roles, communication, wellness; "Weller than well"; Questions.

8. FEELINGS - Feeling list; Do we label feelings the same way?; What drugs do to feelings; Normal feelings; Questions.

9. LOSS AND GRIEF - Losses; Grief; Good grief - the stages; What do you do if "stuck"?; How long does it take?; Questions.

10. STRESS MANAGEMENT - What is stress?; Stress test - evaluation; Stress relievers; Healthy stress; How to avoid unnecessary stress; Questions.

11. SEXUALITY - "Normal sexuality"; Physical sexuality; Emotional sexuality; How drugs affect sexuality; How will abstinence affect sexuality?; Questions.

12. SEX AND RECOVERY - Having sex clean and sober - questions from session 11; How long does recovery take?; Is there permanent physical damage?; Questions.

13. ANGER MANAGEMENT - How does anger feel?; What are the first signs?; What happens when I get angry?; Interrupting the process; Expressing anger in different ways; Questions.

14. SELF-ESTEEM - What is self-esteem?; What addiction does to self-esteem; How to get it back and keep self-esteem; How to let others keep their self-esteem; Questions.

15. PROBLEM SOLVING/ DECISION MAKING - Steps in problem solving; How to make good decisions; Problem solving in the family; What to do if you made a wrong decision; Rethinking problems and decisions - getting help; Questions.

16. DRY DRUNK - What is a dry drunk; Where they come from; How do you feel in a dry drunk?; What to do about a dry drunk; Will they ever go away?; Questions.

17. RATIONALIZING - EMOTIONAL MATURITY - What is rationalizing?; How is it a problem?; How to recognize it; How to become emotionally mature; Why work towards emotional maturity?; Questions.

18. FAMILY COMMUNICATION - What addiction does to communication; Why is it important?; How to begin and continue; What to do when problems come up; Questions.

19. FETAL ALCOHOL SYNDROME (FAS) - What is FAS; What to do if you have an FAS baby; How to prevent FAS; Is it only mothers who are responsible? Guilt; Questions.

20. NATIVE TRADITIONS - What are native traditions and why are they important?; Who can explain them to you?; How do you get involved; Who benefits from involvement?; Questions.

21. ASSERTIVENESS - What is assertiveness?; Why do we care?; How to practice; Practice situations; What if it backfires - self-talk; Questions.

22. REFUSAL SKILLS - What are refusal skills?; Why practice; Situations; Appropriate refusal; Most difficult situation; Questions.

23. RE-ENTRY - GOING HOME - What is out there? How will it be exciting?; How will it be difficult?; What to do with extra time; Where to get help; Questions.

24. BUILDING UP TO DRINK - First symptoms; What next?; Which feelings are part of this; How to interrupt the process; What to do instead of drinking; Questions.

25. RELAPSE PREVENTION - Relapse symptoms list; Relapse feelings; Rationalizations; How to get through the feelings; What if you do relapse?; Questions.

26. Additional sessions may provide additional emphasis on AA as a resource; Loss and Grief; Refusal skills; Relapse prevention; Re-entry - Going home.

All patients will participate in these sessions. Individual topics may be combined depending on the group's receptivity, sometimes accelerating the time a patient requires to complete the program. A normal treatment cycle will be of four weeks duration. Individual patients stays may vary from this norm since each treatment requirement will be individually assessed. Pneuma's policy and procedures manual provides additional details.

EVALUATION PLAN

1. The community, led by the director's advisory board, will determine if the Family Life Program is making a difference. The community will answer the following questions: Are attitudes about alcohol and other drug use changed? Is knowledge about harmful effects of alcohol and other drugs increased? Is treatment effective and culturally appropriate? What factors are correlated to alcohol and other drug use? Are alcohol and other drug use reduced, prevented? Are Pneuma's goals and objectives being met?

2. The community evaluation will specifically evaluate performance against stated goals and consider resources such as staff, facilities, and services provided to examine the immediate results of the treatment services and determine the longer term outcomes anticipated. This evaluation will examine the efforts and effectiveness of each component to determine the financial effectiveness of the program - how much time, effort, and money is required to achieve the treatment results accomplished.

3. Patients completing treatment will be asked to fill out a confidential lifestyles and values questionnaire which will include their evaluation of the treatment program just completed. Results will be analyzed by staff as another tool to improve program quality and effectiveness.

4. SOADA treatment reports, which provide quantified counselor effort summaries, will be analyzed at least quarterly as a review of program activity quality, appropriateness, and effectiveness. Staff meetings and administrative review sessions will maintain an on-going review of service quality.

5. Employees and volunteer helpers will have a structured evaluation by their supervisors to examine talents and abilities, compliance with Pneuma policies, and opportunities for improvement or advancement.

6. At least yearly, an evaluation report will be prepared by Pneuma staff that reviews the extent to which the program has accomplished its goals, and the success in achieving desired outcomes. Evaluation is a part of every employee's job requirements, and each employee is anticipated to consume a minimum of 20 hours per year in the evaluation process. For the treatment program as a whole, the evaluation is expected to require 900 hours per year, at a cost of approximately $12,000.

DEMONSTRATION OF COMMUNITY SUPPORT / INVOLVEMENT

1. The community of St. Mary's is directly involved in planning and supporting this project. Five of the nine Board of Directors are Alaska Native residents of St. Mary's, as are all members of the Executive Director's Advisory Board. The City of St. Mary's and St. Mary's Native Corporation have issued letters of support, and the School District has demonstrated support through referrals and encouragement. The community provided 134 signatures on a petition of support for Pneuma's grant requests. Pneuma is community-based in St. Mary's, with only specialized professional employees and volunteer assistance provided from elsewhere.

2. Other targeted communities have demonstrated their support by signing petitions and encouraging prompt expansion of services so their residents can receive services. Publicity has been generally limited to word-of-mouth promotions, so the groundswell of encouragement so demonstrated is an encouraging sign of deep-seated support. Most encouraging is the support for the unique family orientation of Pneuma's program. Villages have reviewed Pneuma's grant request and provided input and emphasis recommendations that are incorporated herein.

3. Support petitions have been received from St. Mary's, Chevak, Toksook Bay, Tununak, Alakanuk, Sheldon Point, Emmonak, Kotlik, Chefornak, Marshall, and Pilot Station. A draft grant proposal was reviewed with these and other area communities, but additional support petitions were not received before the grant submission deadline.

DEMONSTRATION OF SERVICE COORDINATION

1. Present efforts for service coordination are limited since funding has not permitted Pneuma to provide planned services. YKHC conducted a training session at the Pneuma St. Mary's facility and encouraging coordination and cooperation should result when Pneuma has funds to operate planned programs. Pneuma is making concerted efforts to avoid duplicating services of other providers such as YKHC and PATC, rather encouraging participation in joint efforts to address the prevalent problems of the region. PATC and YKHC provide meaningful and effective services. It is Pneuma's intention to utilize these experts in Pneuma's programs where appropriate.

2. As this proposal is being written, Pneuma has just begun residential treatment, limited by the meager funds available. Accordingly, we are in the process of establishing interagency referral mechanisms, plans for training, memoranda of agreements, and procedures for the release/sharing of patient information. These features can be expected to be in place at the beginning of the FY 90 funding period, but have been premature to this point.

APPENDIX

TREATMENT REQUIREMENTS BACKGROUND

GENERAL

Treatment or tragedy are the alternatives for families afflicted by alcohol abuse, alcoholism, or co-dependency. The tragedies are well publicized in the Anchorage News article "A People in Peril"; in the "AFN Report on the Status of the Alaska Natives: A Call for Action"; in the daily violence, abuse, neglect, sickness, and desperation experienced throughout the region. Alcoholism as a family disease is reviewed in this appendix to more fully detail the reasons for Pneuma's concentration on family programs.

STATEMENT OF CAPABILITY

Pneuma is non-profit and non-denominational, supported by socially conscious individuals and organizations. It is governed by a nine member Board of Directors, of which six are Alaska Natives. An Executive Director's Advisory Board is comprised of local Alaska Natives who have the responsibility for assuring that the administration properly conducts daily activities in accordance with Pneuma's philosophy and goals. Pneuma began operations in July, 1988 and has survived so far on private donations and volunteer efforts. In January SOADA awarded a $34,000 grant for a Children of Alcoholics program that serves an average of 35 children daily. Pneuma has raised over $14,000 from its Pneuma Associates program in which individuals pay $40 per year for a membership. Additional planned programs have been stymied due to a lack of funds.

GENERAL BACKGROUND OF THE PROBLEM

1. Alcohol is a drug that has the most devastating effect on our society. The problem of its abuse is increasing in intensity and in its destructive capabilities. In recent years the age of alcoholics has declined and alcoholism develops over a shorter period of drinking time than in the past. Abuse and violence are largely associated with the use of alcohol. It is almost impossible to measure the loss of productivity that results from the many untreated alcoholics in our society.

2. It is difficult to deal with alcohol issues in a non emotional and logical manner. There is a large societal abuse of it by occasional users who may not be termed alcoholics. This occasional use may lead to violence and death as a result of individual arguments and abuse. There is also the disease alcoholism which is associated with a great deal of mortality and morbidity.

3. It is known, however, that once alcoholism has been diagnosed it requires confrontation and treatment. The only ultimately effective treatment is total and complete abstinence. The disease of alcoholism is chronic, meaning it does not go away, but can be arrested through abstinence.

4. When the family and the alcoholic comes to grips with this disease and seek some form of help, treatment is possible. Many, however, feel that it is nearly impossible for an alcoholic to enter a treatment program until the pain of alcoholism becomes greater then the pleasure. Encouraging treatment for the family, even without the alcoholic can defuse this issue and may draw the alcoholic into treatment on their own.

TREATMENT BACKGROUND - STAGES OF FAMILY DETERIORATION

1. Family members living with an alcoholic develop coping mechanisms to deal with the progressive, chronic, and eventually fatal disease of alcoholism. The typical alcoholic is fundamentally no different from those not addicted. In the beginning the alcoholic is a decent, responsible, caring person. As the alcoholic inevitably slips further into the disease of alcoholism they display increased tolerance, withdrawal symptoms, and loss of control over drinking. The body cells are changing, adapting, and laying the groundwork for the massive damage that occurs later. Gradually the addiction changes the alcoholic, altering their personality, eating away at self-confidence and self-respect, destroying the will.

2. In later stages, an alcoholic is unable to stop drinking once begun, is often incapacitated, and looses control over the decision not to drink. The disease takes over, with predictable, progressive destruction of body, mind, and spirit. The addict suffers horribly when sober, caught in a never-ending cycle where they are sick without alcohol, and sick with alcohol. The alcoholic has lost control, not due to any moral weakness, but due to the characteristics of the disease of alcoholism.

3. Healthy families trapped by an addiction gradually become unhealthy. In order to cope, adaptation is necessary. By adapting, you will begin to loose progressively larger chunks of yourself. You begin to act in ways dictated by the demands of the addiction. You are a co-dependent.

4. Co-dependency symptoms appear automatically and unconsciously - and become habitual. Co-dependents follow a predictable progression in which they will, without treatment, lose control over their own behavior. Initially the co-dependent comes to slowly accept the alcoholic's drinking as normal. It is a normal response to an abnormal situation. Next the co-dependent develops habitual self-defeating coping mechanisms - they try harder - more intensely - more desperately. They take on responsibilities for the alcoholic, unable to realize that this causes the alcoholic to become irresponsible. They accommodate the drinking, adapting their own behavior and family functioning. The world outside the alcoholic family becomes remote and they experience self-defeating behavior, frustration, anxiety, and guilt. Children seem to suffer the most, experiencing great guilt and shame. They feel sure the problem has something to do with them, and they try desperately to make things better.

5. The chronic stage of co-dependency brings family collapse. Here we often see family suicides or other self-destructive behavior. The thinking and behavior of the co-dependent is out of control. Degeneration is physical, psychological, social, and spiritual. Just as alcoholism progresses slowly and often comes upon a user unnoticed, so too is the family's coping. Addiction typically proceeds for years, with the family slowly becoming numb to its craziness and blind to its manipulations. Family members adapt in predictable, characteristic roles such as the Enabler, the Hero, the Scapegoat, the Lost Child, and the Mascot. Families endure pain by trying to stay in control. Through the years they have latched onto responsibility, hope, love, and duty with just one loss: themselves. Even powerful love is useless when pitted against an active addiction. The addiction will subvert love, taking its best qualities - patience, commitment to devotion and duty, the need to protect at all costs - and use them to render the family helpless.

TREATMENT PROGRAM OVERVIEW

1. Treatment or tragedy are the alternatives. Without help, each member of the family evokes and reinforces the alcoholic pathology in every other member and in the family system as a whole. Even after death claims the addict, the tragedy continues for the children. Treatment seeks to avoid the tragedy, seeking lasting recovery for the alcoholic and the family recognizing that few families can succeed alone. Treatment treats the whole family and the whole person of each family member to achieve lasting recovery. Treatment offers not only recovery, but continuing growth to realize more personal wholeness.

2. Recovery means learning to accept and detach from the symptoms of alcoholism and learning to manage and control the symptoms of co-dependency. It focuses on personal needs, personal growth - respect for self. It means learning to choose appropriate behavior and to be in control. Pneuma assists the entire family with a structured program of individual and group therapy and activities designed to increase self-awareness while providing facts helpful to understanding the disease and the recovery process.

3. The program involves families that need help and families that help in an enriching environment of warmth, understanding, love and compassion, all professionally directed in which all play an important and valuable role in their own therapy. Treatment is one component of Pneuma's prevention strategy.

4. Pneuma's program is comprehensive. It knits education, prevention, outreach, intervention, and treatment efforts into a cohesive program which has the goal of preventing alcohol abuse, alcoholism, and co-dependency. Public Information, community change, and community response strategies combine with treatment and aftercare in a culturally-sensitive, family-oriented program. Pneuma cooperates and coordinates with other alcohol programs, seeking participation from, rather than duplication of, other area programs. Pneuma's family program adapts to individual family situations; a residential program is preferred, but outpatient services will also be provided.

FAMILY TREATMENT

1. Family treatment seeks a nurturing, healthy continued growth and family development. It utilizes loving and caring counselors and other families who are also pursuing their own wholeness. It brings to the healing process all that we currently know about chemical dependency and alcoholism treatment, family systems, and the psycotherapy of individuals and families.

2. Each family member receives individual counseling, but much of the treatment work is done in a group setting. At the beginning, an addicted family member may be separated from their family, but thereafter the family heals and grows as a unit. Peer therapy groups are formed for the alcoholic, the spouse, the adolescent, the children, and for family groupings. Each individual has an opportunity to hear the experiences of others of their own age or from similar family roles. They can observe their actions and see in them the denial, delusions, and compulsive behavior that they are blind to themselves.

3. Group meetings force one to trust - an explicit choice that must be made - first with peers and then with the family. Once a person learns to trust, and stop pretending and really let the others in the group know them, they have crossed an invisible line. They suddenly have a sense of belonging. They feel safe at last to express their fear and anger and hurt; indeed the group expects this honesty which gives them the practice and confidence they will need to participate with openness and honesty in the more emotionally-charged group of the family.

4. The next grouping used is the immediate family which already has an established system to complete the interaction. It offers a more advanced setting for feeling and communicating. Groups of families also undertake these same kinds of experiences. All program participants are grouped in larger gatherings for educational workshops, lectures, and films where the purpose is the presentation of information, not direct interaction. This allows individual treatment sessions to focus on problems unique to the individual or family. Workshops fundamental purpose is clarity whereas that of groups is therapy.

5. Family exercises and recreational activities are a refreshing change from the usual talk-dominated sessions. They are also powerful tools in helping family members gain the insight and skills they need to relate honestly and feelingly to one another. Other sessions help families to actively experience what is known as the whole body learns it with a felt understanding, a fresh insight and fresh appreciation of the value of differing views.

6. Recovery from the chronic disease of alcoholism or its associated co-dependency requires treatment that addresses the physical, psychological, social, and spiritual aspects of the disease. Families will be helped to accept the disease concept of alcoholism while breaking walls of delusion and denial. Recognition of feelings, and the ability to communicate these feelings as feelings are important components of the treatment process. With aftercare and recovery comes the ability to share feelings, to accept and forgive, and to rebuild the family system. All are encouraged to continue with self-help fellowships such as AA and Alanon to which they are exposed during treatment.

7. Treatment therapy directs the patient inward to an honest reflection on their disease or co-dependency, and on future plans for living a drug-free, responsible life. It provides progress on internal motivation, greater self-esteem, skills, and support necessary for such a future. It fosters spiritual and cultural awareness, promotes physical good health, offers and active social program, and improves life situations by promoting love, consistency, and predictability. Professionally directed counseling forms the core of the treatment process. The success rate for recovering alcoholics is increased 30 to 50% when the family is included in the treatment and recovery process.

TREATMENT PROGRAM OVERVIEW

1. Various treatment modes are mandated due to the considerable heterogenity among alcoholics. An intake assessment will mate patients to individual treatments such as inpatient and outpatient, youth, adult and family programs. Varying degrees of alcohol abuse or alcoholism, the personality and coping skills of the individual, and environmental and work factors will be reviewed to determine the most appropriate treatment.

2. Treatment outcome has many interdependent variables. Patient characteristics, patient selection and attrition, patient experiences outside of and after treatment, duration and quality of followup, type of outcome variables examined, analysis and interpretation of data, and a host of other issues make a scientific analysis of treatment outcome difficult.

DETOXIFICATION PROGRAM provides non-medical detoxification and stabilization (drying out) prior to beginning treatment program. Patients intoxicated upon admission will receive such services to calm the patient's agitated central nervous system, absent any requirement for medical treatment.

Specific Program Objectives:

1. To accommodate patients who require non-medical "drying out".
2. To prepare the patient for treatment.

Workplan/methodology:

1. Provide a closely observed non-medical detoxification program where the staff assures the patient that they are in a natural process that is under control and one that will end in a reasonable period of time.
2. Calm the alcoholic's agitated central nervous system.

TREATMENT PROGRAMS provide tertiary prevention services for the addict and the co-dependent family. The treatment components will service adults, adolescents, children, and families.

1. Adolescent treatment differs from adult treatment. Most youngsters will experiment with alcohol and other drugs. Many pass through this experimental stage very quickly, but they will continuously be confronted with opportunities to use. Some will develop addictions. Treatment success depends a lot on the characteristics, personality, life experience, and natural skills of the individual counselor and how these mesh with the needs and attitudes of adolescent patients. Counselors must demonstrate desirable role model behavior as they help adolescents live through the adolescent experience with the least harm or jeopardy.

Specific Treatment Program Goals:

1. Provide the most appropriate treatment modality for each patient.
2. Have the patient form their own a commitment to abstinence, accepting the fact that they have a chronic, progressive, fatal disease; that they understand the nature of that disease; that damage caused by their drinking has started to heal; and that they have begun the long process of personal change that will insure their continued sobriety.

Specific Program Objectives:

1. Provide a full complement of services and insure that individual treatment plans recognize that recovery rates and treatment time required are variables. Provide treatment resulting in an alcoholic's ability to recognize sobriety as freedom from the compulsion to drink. Provide three major elements in each treatment plan:
    ...Education on all facets of the family disease and its control.
    ...One-to-one counseling with a primary counselor.
    ...Group counseling sessions.
2. Provide co-dependency treatment so the family heals from past wounds and approaches the future with hopeful, positive expectations.
3. Treat all patients with addiction problems, even though they may not be highly motivated. Provide the process and the environment through which patients may initiate, establish and maintain physical, emotional and psychological balance without the use of alcohol or other drugs.
4. Involve patients in their recovery process by sequential planning of goals for treatment. Monitor progress toward those goals. Introduce patients to the philosophy and principles of AA and other self-help fellowships, and the necessity of establishing an adequate life-long aftercare and self-care plan.

5. Integrate Native Alaskan cultural, spiritual, and traditional concepts to assist an understanding of self in relationship to patient's cultural and ethnic heritage. Develop awareness, communications and life skills to cope without alcohol. Increase self-worth by engaging patients in various experiences that enhance concepts of self-esteem, feelings of worth and appreciation for others while encouraging self-expression, self-sufficiency and adequate social interaction. Teach skills for dealing with peer pressure, parental rejection and ridicule, anger, depression, anxiety, non-assertiveness, frustration, and manipulation. Teach skills for networking, for developing community ties and maintaining a support system in aftercare and throughout recovery.

Workplan/methodology:

1. Provide the following components of service:

.. Outpatient treatment - individual and family - long and short term.
.. Inpatient treatment - individual and family - long and short term.
.. Aftercare treatment - individual and family - long and short term.
.. FAS prevention residential treatment - long term.

2. Provide a varying length, structured program of individual and group therapy that treats alcoholism, other drug addictions, and co-dependency, fosters spiritual awareness, promotes physical good health, includes an active social program, and improves the life situations of individual members by promoting love, consistency and predictability.

3. Direct the patient inward, to an honest reflection on their disease or co-dependency, and on future plans for living a drug free life. Provide progress on the internal motivation, the self-esteem, the skills, and the external support necessary for sober, independent, and responsible living.

4. Integrate the most effective techniques from both the majority culture and the Native Alaskan culture. Include Native Alaskan traditional practices, culturally based social and leisure activities, and culturally-based introspective techniques.

5. Discharge shall take place only after an individualized continuing care plan is developed. Relapse is a part of the disease of addiction and will be viewed as an unfortunate but natural happening which can be used positively if seen as an opportunity to grow in maturity and compassion for others who suffer from the disease. Patients returning for treatment after a relapse will be accommodated.

5. The aftercare program will use as a guide the program outlined in "Addict Aftercare: Recovery Training and Self-help" published by the USDHHS, PHS.

PROPOSED PERFORMANCE SUMMARY AND COSTS

Service Components	-1- Amount Requested From SOADA	-2- All Other Project Resources	-3- TOTAL PROJECT COST	-4- Proposed Number Of Beds	-5- Proposed # Persons Served
*Prevention (C & E)				[redacted]	[redacted]
Emergency Care a) b) c)					
Inpatient Care	$916,400.00	$364,000.00	$1,280,400.00	110	430
Intermediate Care a) b) c)					
Outpatient Care a) b) c)				[redacted]	160
Aftercare				[redacted]	590 +
Outreach				[redacted]	
TOTALS	$916,400.00	$364,000.00	$1,280,400.00	[redacted]	[redacted]

Footnotes:

1) Prorate administrative costs, including indirect costs, in figuring service component costs. Column 1, SOADA Request, total should be the same as the requested amount on the face sheet of this grant application.

2) If you propose more than one program within a component, these may be shown separately.

3) Column 2, all other project resources, means other state, local, or federal funds, including inkind, project income, donations, etc., that are a part of this project's total cost. Do not include other SOADA grants such as Inmate Counseling or ASAP in Column 2.

*C & E = Consultation and Education

Pneuz Corporation
Treatment Program

Budget Yr:

2. Source of Funds: Revenue Detail

FUND CATEGORY	DESCRIPTION	TOTAL
Project Income (Funds generated by this project)	Third Party Payments: List each source and amount (Vetrans Administration, Insurance Companies, Other) No Third Party funds anticipated at this time SUB-TOTAL	-0-
	Client Payments: List per service component and amt. None anticipated at this time SUB-TOTAL	-0-
	Other: List per source and amount Contracts: None. Local Donations In-Kind Contributions SUB-TOTAL	-0-
	TOTAL PROJECT INCOME	-0-
Local Contribution (Contributions by your Local Government)	Cash: Identify source and amount Donated legal fees anticipated	$4,000.00
	State Revenue Sharing	
	Other: Federal food stamp assistance anticipated	$60,000.00
	CASH SUB-TOTAL	
	In-Kind: List each source and amount Owner facility lease contribution	$300,000.00
	IN-KIND SUB-TOTAL	$364,000.00
	TOTAL LOCAL CONTRIBUTIONS	$364,000.00
Federal Contributions (List Sources)	Grants (OSAP, Action, Etc.) Indian Health Service BIA Other	-0-
	TOTAL FEDERAL CONTRIBUTIONS	
Other State Contributions (List Sources)	Grants Other	- 0-
	TOTAL OTHER STATE CONTRIBUTIONS	- 0-
State Grant Funds-This Req.	SOADA Grant as requested - Treatment Program	$916,400.00
. . . . . .		$1,280,400.00

Pneuma Corporation
Family Life Program Grant Application
ALCOHOLISM AND CO-DEPENDENCY TREATMENT

Budget Cover Worksheet

Applicant Institution: Pneuma Corporation Telephone (907) 479-6848
2890 North Kobuk Street Administration
Fairbanks, Alaska 99709

Program Location: St. Mary's, Alaska Telephone (097) 438-2354

Residential Patients served: 590 people - July 1, 1989 to June 30, 1990

Amount Requested: State Grant request is $ 886,400 or $ 1,502 per person
Total project costs are $1,250,400 or $ 2,119 per person
72% of the state requested funds are for staff salaries

Financial Contact Person: Robert K. Betz, Vice President (907) 452-2372
801 Barnette Street
Fairbanks, Alaska 99701

General Program note:

This grant is the basic project of Pneuma's comprehensive programs. Other grant applications request funding for Prevention, Training, and Village Treatment components.

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PNEUMA FAMILY LIFE PROGRAM BUDGET SUMMARY

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$643,470	-0-	-0-	$643,470
Category 200 - Travel	$ 38,650	-0-	-0-	$ 38,650
Category 300 - Facility	$ 97,000	$300,000	-0-	$397,000
Category 400 - Supplies	$ 66,380	-0-	$60,000	$126,380
Category 500 - Equipment	$ 15,400	-0-	-0-	$ 15,400
Category 600 – Miscellaneous	$ 55,500	-0-	$ 4,000	$ 29,500
FAMILY LIFE PROJECT TOTALS	$916,400	$300,000	$64,000	$1,280,400

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BUDGET INDEX

Budget Summary and Index................................Budget Page 1
Budget Narrative.............................Budget Pages 2 - 5
Source of Revenue Detail.....................Budget Pages 6 - 7
Proposed Performance Summary and Costs.................Budget Page 8
Certificate of Match...................................Budget Page 9
Certification of Matching Requirements.................Budget Page 10

Pneuma Corporation
Family Life Program
ALCOHOLISM AND CO-DEPENDENCY TREATMENT

BUDGET NARRATIVE

PERSONNEL - CATEGORY 100

Breakdown of FTE (Full Time Equivalent) to this program:

1. EXECUTIVE DIRECTOR - 1.0 FTE

The executive director responds to Pneuma's Board of Directors. The position is responsible for administration, fiscal accountability, program planning and development, management of the Family Life Program, public relations, grant writing, and fund raising. The director must have demonstrated management and administrative experience and knowledge and/or experience of all facets of alcohol and other drug abuse prevention and treatment.

Position Cost	per FTE =	Total	Grant	In-Kind	Other	Total
$53,000 (FTE) x	1.0 =	$53,000	$53,000	-0-	-0-	$53,000

2. TREATMENT DIRECTOR - 1.0 FTE

This position is responsible to the executive director for all phases of the Treatment Program including treatment staff hiring. The position is responsible for the professional direction and operation of the treatment program and all counseling staff having patient contact. The treatment supervisor is responsible for supervision of treatment plan development and implementation, referral policies and procedures, clinical reporting, supervision of daily staffings, classes, workshops, group counseling sessions, in-service training and professional development, and coordination with other service agencies.

Position Cost	per FTE =	Total	Grant	In-Kind	Other	Total
$45,000 (FTE) x	1.0 =	$45,000	$45,000	-0-	-0-	$45,000

3. ADMINISTRATIVE ASSISTANT - 1.0 FTE

This position provides administrative and personnel support for Pneuma services, assisting the executive director and treatment director as necessary. The administrative assistant is responsible for facility and treatment support functions and physical plant maintenance and operation, as well as assuring that all required reports and fiscal accounting procedures are proper and submitted correctly.

Position Cost	per FTE =	Total	Grant	In-Kind	Other	Total
$40,000.00 x	1.0 =	$40,000	$40,000	-0-	-0-	$40,000

4. SECRETARY / AIDE - 1.0 FTE

This position provides reception for all visitors and clerical support, site bookkeeping, maintenance of file documents, and initial screening, evaluation and placement of all patients in accordance with Pneuma policies.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$20,000.00 x	1.0 =	$20,000	$20,000	-0-	-0-	$20,000

5. CERTIFIED CCDC I COUNSELORS - 4.0 FTE

These positions include certified CCDC counselors, some with special training and expertise who are responsible for facilitating group sessions and individual and family counseling. Each counselor is a primary counselor for an assigned caseload not exceeding 12 patients at a time. Special assignments are for addict, spouse, adolescent, and family group session responsibility while providingin-service training and supervision of trainees. Counselors will provide prevention, intervention and aftercare services in addition to their residential counseling duties.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$35,000.00	x 4.0 =	$140,000	$140,000	-0-	-0-	$140,000

6. COUNSELOR TRAINEES - 4.0 FTE

This position is for counselors lacking CCDC I certification and will be responsible to certified counselors. They are expected to upgrade their status to CCDC I and directly assist with all counseling duties.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$24,000.00	x 4.0 =	$ 96,000	$96,000	-0-	-0-	$96,000

7. PROGRAM AIDES, RESIDENCE MONITORS - 4.0 FTE

This position provides general program support, performing monitoring and other duties as assigned by the counseling staff and in accordance with Pneuma operating policies.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$16,000.00	x 4.0 =	$ 64,000	$ 64,000	-0-	-0-	$ 64,000

8. VOLUNTEER COORDINATOR - 1.0 FTE

Considerable volunteer help is anticipated to be organized, scheduled and directed by this position. Volunteers will help with parenting skills, monitor recreation activities, assist at social functions, and a variety of other tasks. This position is also responsible for program promotion and publicity.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$19,000.00	x 1.0 =	$ 19,000	$19,000	-0-	-0-	$19,000

9. FOODSERVICE / MAINTENANCE / HOUSEKEEPING - 3.0 FTE

These positions are responsible to the administrative assistant. Foodservice is responsible for menu planning, food purchasing, preparation, serving, and cleanup. Housekeeping and maintenance are responsible for the facility. Patients and volunteers will prefore some of these duties.

Position cost	per FTE =	Total	Grant	In-Kind	Other	Total
$19,000.00	x 3.0 =	$ 57,000	$57,000	-0-	-0-	$57,000

Summary of personnel costs:

Executive director	1.0 FTE	@ $53,000 each	= $53,000
Treatment Director	1.0 FTE	@ $45,000 each	= $45,000
Administrative Assistant	1.0 FTE	@ $40,000 each	= $40,000
Secretary/aide	1.0 FTE	@ $20,000 each	= $20,000
Professional counselors	4.0 FTE	@ $35,000 each	= 140,000
Counselor trainees	4.0 FTE	@ $24,000 each	= $96,000
Program Aides	4.0 FTE	@ $16,000 each	= $64,000
Volunteer Coordinator	1.0 FTE	@ $19,000 each	= $19,000
Foodservice/Maintenance	3.0 FTE	@ $19,000 each	= $57,000

Full Time Personnel TOTALS 20 FTE	$ 534,000
20.5% payroll fringe costs =	$ 109,470
TOTAL FIXED COST PERSONNEL =	$ 643,470

FRINGE BENEFITS - 20.5%

7.5% Social security; 3% ESC; 7% medical benefits; 3% retirement program.

TRAVEL - category 200

Travel costs include patient travel for those unable to pay, staff travel for training, interventions, aftercare, and administration.

Two directors @ 10 village trips	10	@ $150 ea	= $ 1,500
Director / agency coordination / village	8	@ 420 ea	= 3,360
Professional personnel employment travel	15	@ 450 ea	= 6,750
Patient travel to/from villages	60	@ 125 ea	= 7,500
Training annual meeting travel	10	@ 450 ea	= 4,500
Local airport transport for staff/patients	200	@ 10 ea	= 2,000
BOD travel for quarterly meetings 4 x 4 =	16	@ 440 ea	= 7,040
Per diem expenses 75 days @ 80/day			= 6,000
TOTAL Travel costs			$ 38,650

	Grant	In-Kind	Other	Total
CATEGORY 200 EXPENSE TOTALS	$38,650	-0-	-0-	$38,650.00

FACILITY EXPENSE - category 300

Facility costs include use of the St. Mary's Mission provided by the Catholic Bishop of Alaska as an in-kind donation, worth $300,000 annually:

Main building	26,400 sf	Girl's dorm	11,650 sf
Gymnasium	5,000 sf	Boy's dorm	10,000 sf
Generator shop	3,300 sf	Workers dorm	3,440 sf
Carp/pipe shop	2,900 sf	Warehouse	5,500 sf
Cottage	740 sf	Superior resid.	416 sf

TOTAL buildings 69,346 sf - in-kind donation = $300,000

Site use charge/pp @ 50 avg/day x 365 days	@ $ 2/day	= $36,500
Utilities - heat, water, sewer, refuse, etc	@ $4,500/mo	= $54,000
Telephone & long distance charges	@ $ 500/mo	= $ 6,000
Repairs & Maintenance supplies	@ $ 500 ea	= $ 500
TOTAL Net Facility costs		$97,000

	Grant	In-Kind	Other	Total
CATEGORY 300 EXPENSE TOTALS	$ 97,000	$300,000	-0-	$ 397,000

SUPPLIES -category 400

Supply costs are unitized fpr program participants. Materials include furnishing a 12 step AA book, reference, and file material. Federal food stamps or other food procurement assistance is anticipated so a credit is shown. Unit costs are based on a 50 person daily count which will accomodate the 590 patients anticipated in the year.

Program books, literature, etc 590 @ $28 ea = $ 8,400
Medical & first aid supplies/village project @ $ 40/mo = $ 400
Food @ $6/pp x 50 patients avg x 365 avg days = 109,500
Less government assistance and donations = (60,000)
Office support supplies - postage, etc. @ $5,000/yr = $ 5,000
Household supplies - linens etc @ 100/ project @ $10/pp = $ 3,000
TOTAL Supplies costs (net) $112,800

	Grant	In-Kind	Other	Total
CATEGORY 400 EXPENSE TOTALS	$ 66,380	-0-	$60,000	$126,380

EQUIPMENT - cost category 500

Facility Misc repair items = $ 9,000
Audio/visual rental and maintenance = $ 1,500
Office equipment lease and repairs = $ 2,400
Computer system/fax purchase = $ 2,500
TOTAL Equipment costs $15,400

	Grant	In-Kind	Other	Total
CATEGORY 500 EXPENSE TOTALS	$ 15,400	-0-	-0-	$15,400

OTHER OPERATING EXPENSES - Category 600

Printing and advertizing costs = $ 2,000
Accounting and payroll services $400/mo x 12mo = $ 4,800
Legal costs, reviews, opinions, etc. = $ 5,000
Less donated legal services =($ 4,000)
Insurance - professional liability = $ 9,800
Insurance - general and property liability = $33,800
Insurance - workmens compensation = $ 4,100
TOTAL Other Operating Expenses (net) = $55,500

	Grant	In-Kind	Other	Total
CATEGORY 600 EXPENSE TOTALS	$ 55,500	-0-	$ 4,000	$59,500

INDIRECT COSTS - Category 700

No indirect costs will be charged to this project. Pneuma does not have a federally negotiated indirect cost rate.

PNEUMA FAMILY LIFE PROGRAM BUDGET SUMMARY

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$643,470	-0-	-0-	$643,470
Category 200 - Travel	$ 38,650	-0-	-0-	$ 38,650
Category 300 - Facility	$ 97,000	$300,000	-0-	$397,000
Category 400 - Supplies	$ 66,380	-0-	$60,000	$126,380
Category 500 - Equipment	$ 15,400	-0-	-0-	$ 15,400
Category 600 - Miscellaneous	$ 55,500	-0-	$ 4,000	$ 29,500
FAMILY LIFE PROJECT TOTALS	$916,400	$300,000	$64,000	$1,280,400

SOURCE OF REVENUE DETAIL

STATE -	Department of Health and Social Services, Office of Alcoholism and Drug Abuse	71.7%	$ 916,400.00
LOCAL -	In-Kind donation from Property owner	23.5%	$ 300,000.00
OTHER -	Donations from private parties	0.3%	$ 4,000.00
	Food Stamps for client food service	4.7%	$ 60,000.00
	TOTAL PROJECT BUDGET COSTS	100%	$1,280,400.00

Form 06-2060L

REQUIRED MATCH

THIRD PARTY LETTER OF AGREEMENT

BETWEEN:

Contributing Organization/Individual (Third Party) 907-474-0753

(Name, Address, Phone)

Catholic Bishop of Northern Alaska, 1316 Peger Road, Fairbanks, Alaska 99701

and

Grantee Agency Pneuma Corporation

Program Title Pneuma Family Life Programs Including FY90 Grant Proposals for:

Alcoholism and Co-Dependency Family Treatment Program; Prevention Program; Training Program; and Village Treatment Program.

Type of Donation: Facility Use

Description:

The Catholic Bishop of Northern Alaska, (CBNA), an Alaskan nonprofit corporation sole, is the owner of real property consisting of approximately 173.71 acres, together with all improvements located thereon known as St. Mary's Mission located at St. Mary's, Alaska. In support of Pneuma's Family Life program of education prevention and treatment for alcohol abuse, alcoholism, other drug addiction, and co-dependency, CBNA agrees to donate this property and facility to Pneuma from July 1, 1989 through June 30, 1990 (FY90) if operating funding is made available from the State of Alaska. An appropriate lease, on terms to be negotiated, shall be executed after state funding assurances are completed.

Value: (Detailed Computation)

The appropriate rent for this property is $300,000.00 per year. Such amount shall be spread throughout Pneuma's programs to assure a minimum of 10% in-kind match for each separately funded program or project. The $300,000 calculated to a rental fee of approximately $0.35/sf/month for the over 69,000 sf of buildings donated to Pneuma.

1007/7

I hereby certify that the items or services listed above are the agreed upon contribution to the above named program.

4/10/89

Date

Authorized Representative

Contributing Individual

[illegible] CERTIFICATION OF MATCHING REQUIREMENTS

1. [illegible] Pneuma Corporation Family Life Programs		2. [illegible] Fy90
[illegible] Pneuma Corporation		[illegible] 7/1/89 - 6/30/90 7/1/90-6/
3. [illegible] Robert K. Betz	4. [illegible] Financial Officer, Vice Presid	
7. [illegible] $300,000.00	8. [illegible] $300,000.00	9. [illegible] 10%

10. [illegible]

In-kind contribution from Catholic Bishop of Northern Alaska for facility rent/use at St. Mary's, Alaska............$300,000.00

The in-kind contribution will be allocated between each grant proposal acce to achieve a minimum of 10% matching funds requirement for each program.

11. [illegible]	12. [illegible]

13. [illegible]

[illegible]

14. [illegible]

Appendix A
ASSURANCES

Applicants must indicate their intention to comply with all terms and conditions of this RFP, the terms and conditions of any grant awarded by the Department and with 7 AAC 78, the Department's grant program regulations. These conditions include, but are not limited to:

(1) The provision of Worker's Compensation Insurance.
The provision of liability insurance if automobiles are used for the purpose of this grant program.
The provision of comprehensive general liability insurance.

(2) Compliance with the requirements of the Civil Rights Act of 1964, as amended.

(3) Compliance with Federal and State laws and regulations preventing discriminatory employment practices.

(4) Compliance with Federal and State requirements for safeguarding information. Any information about Department clients that is obtained or developed under grant funds is confidential and cannot be released without the written approval of the Department.

(5) Consent to suit:
Native Council applicants to state grant programs are required to consent to be sued by the State of Alaska upon any claims arising out of the Councils activities under that grant program. Consent to suit will be a special condition of grant award to Native Councils.

(6) Providing State officials access to financial and program records pertaining to the grant and project.

(7) Maintenance of financial and program records for audit.

(8) Ensuring that grant funds will not be used for lobbying

(9) Submission of quarterly fiscal reports, quarterly program narrative reports, monthly program updates, a final project report, and other grant program reports.

(10) As per number 3, above, religious belief or affiliation cannot be either a requirement for service or a factor in the denial of service under these grants.

(11) Compliance with criminal screening requirements as set forth in AS 12.62.035... (Both paid and volunteer employees having supervisory or disciplinary power over children will undergo criminal screening.)

(12) Compliance with single audit regulations 2 AAC 45.

Authorized Signature

I JAMES A. SEBESTA, the chief executive officer, president, or chief of PNEUMA CORPORATION. hereby assure the Department of Health and Social Services that, should my organization receive funding for the ______ grant program, it will comply with the assurances listed on this page. [Date] 4/13/89 [Signature] James A. Sebesta

[Title] PRESIDENT

Appendix C

Acknowledgement of Receipt

Applicant Organization: PNEUMA CORPORATION

Date Application was Mailed APRIL 13, 1989 - EXPRESS

Signature of Applicant's Representative ____________________

(Applicant please fill in top)

____

(DHSS agency)

Your application was received ____________________. After the required evaluation period you will receive another letter notifying you of the granting agency's acceptance or denial of your request.

Thank you for applying to provide services through a Department of Health and Social Services grant.

____

agency signature / office

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA [illegible]
[illegible]

April 12, 1989

Mr. Ray Jensen, Administrative Officer
State Office of Alcoholism and Drug Abuse
P. O. Box H-05F
Juneau, Alaska, 99811-0607

Re: FY 90 Grant Application
Training Program

Dear Mr. Jensen,

Enclosed are six copies of Pneuma's FY 90 Training Program Grant Request.

The program coordinates with Pneuma's Family Life Treatment Program which is our FY 90 base program. The training program avoids duplication of other providers while assuring integration into a comprehensive package of education, prevention and treatment.

Associated Prevention, Family Treatment, and Village Treatment programs are subjects of separate grant requests.

The proposed Training Program utilizes personell from Pneuma's concurrent treatment program and focuses on coordinated efforts to achieve specialized training for those working in the field of alcohol and other drug abuse, addiction, and co-dependency.

We will be happy to supply any additional information you may require so this program can be implemented.

Very Truly Yours,

PNEUMA CORPORATION

Robert K. Betz

Robert K. Betz, Vice President

ADMINISTRATION - 2970 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-[illegible]
FINANCE - 801 BARNETTE ST. FAIRBANKS AK. 99701 PHONE 907-[illegible]-2372

DEPARTMENT OF HEALTH & SOCIAL SERVICES

GRANT APPLICATION

1 State Granting Agency
State Office of Alcoholism and Drug Abuse (SOADA)

2 Applicant Organization Name
Pneuma Corporation

3 Business Address
Finance Office 801 Barnette Street, Fairbanks, Alaska 99701

4 Mailing Address
2890 North Kobuk Street, Fairbanks, Alaska 99709

5 Phone
907-479-6848

6 Program or Project Name
Pneuma Family Life Program - TRAINING COMPONENT

7 Project Location
St. Mary's Mission, St. Mary's, Alaska 99658

8 Mailing Address
P. O. Box 172, St. Mary's, Alaska 99658

9 Phone
907-438-2534

10 Type of Program
TRAINING PROGRAM

11 Proposed Budget Years
FY 90 and FY

12 Budget Period
Beginning July 1, 1989 Ending June 30, 1990

13 Type of Application
☒ New ☐ Continuation

14 Type of Organization
☒ Private/Non-profit ☐ Government

15 Date of Incorporation (Non-profits only)
March 1980

CONTACT INDIVIDUALS

16 Authorizing Person
James A. Sebesta, President
Phone 907-479-6848
Mailing Address
2890 North Kobuk Street Fairbanks, Alaska 99709

17 Financial Management
Robert K. Betz, Vice President
Phone 907-452-2372
Mailing Address
801 Barnette Street Fairbanks, Alaska 99701

18 Project Director
Ardi Bury, Executive Director
Mailing Address
P.O. Box 172 St. Mary's Alaska 99658

19 Amount of State Funds Requested
FY $
FY 90 $ $136,600

20 List all other State Health & Social Services or Federal Health & Human Svcs. grants received or applied for by applicant during proposed budget years

Type	State/Federal	Amount	Period
Alcoholism & Co-Dependency Treatment	(Applied to SOADA)	$916,400	FY 90
Prevention Program	(Applied to SOADA)	$181,425	FY 90
Village Treatment Program	(Applied to SOADA)	$797,855	FY 90

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Service Component Locations	Business Address	Mailing Address	Phone
All Services headquartered at St. Mary's Mission		P.O. Box 172 St. Mary's Alaska 99658	907-438-2534

TERMS AND CONDITIONS. The undersigned grant applicant agrees to abide by the grant requirements and policies as described by law and delineated in 7 AAC 78 and the Grant Application Package.

Authorized Signature James A. Sebesta
Date April 12, 1989

FOR STATE USE ONLY

Date Appl. Received-Control Office	Application Number No.	Approved
Date Reviewed by Council	Date	Not Approved
Date Award Decision Made	Approved Project No.	Amount Awarded
Date Notification Sent	Approved	Local Required Match
Project Ledger Code	Not Awarded	State Match

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

Program Location
P.O. Box 172
St. Mary's Alaska, 99658

FUNDING REQUEST and PROGRAM DETAILS

for
Pneuma Corporation Training Program

April 1989
FY 90 SOADA GRANT PROPOSAL

Pneuma seeks a $53,520 to $136,680 FY 90 grant for a counselor education and training program. This intensive program will take place in conjunction with Pneuma's Family Life Programs that include prevention and treatment services.

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Acknowledgement of Receipt...End
    Finance Contact Person: Robert K. Betz, Fairbanks Finance Office

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

TRAINING PROGRAM SUMMARY

Pneuma requests a FY 90 SOADA grant to accomplish alcohol/drug counselor education courses which fulfill requirements for state certification and continuing education for counselors. The program will avoid duplication of training available from other service providers while coordinating course offerings with them to seek the widest possible participation.

Training will focus on counselor certification based topics but will also include prevention training, program management training, and board training. The Training program is an important component of Pneuma's Family Life Program which is a comprehensive effort to address all facets of alcohol and other drug abuse, alcoholism, and co-dependency. This training will supplement prevention and treatment program efforts and provide specialized training for Alaska Natives interested in counseling career development in the alcohol / drug field.

Pneuma's training is to provide motivation and knowledge to many area who have little opportunity for such intensive and specialized course offerings. The program provides housing for students during a series of two week educational sessions at Pneuma's Family Life facility. Pneuma has applied for Prevention and Treatment grants for on-going programs at St. Mary's which will provide practical application laboratories and interfacing with real-world situations.

Appropriate technical topics are proposed for each of ten two week training sessions. Topics range from a detailed Survey of Alcoholism, Suicide Prevention and Intervention, to Group Dynamics in Treatment.

Pneuma's training program coordinator, funded with this grant proposal, is responsible for the specialized program and provides for other local training seminars and in-service training throughout the year.

Pneuma Corporation is a non-profit community organization providing direct services to the residents of Western Alaska. The program is headquartered in St. Mary's and focuses services on the 18,500 residents of the Yukon-Kuskokwim Delta. Each specialized training session is expected to have a minimum of twenty students, and the entire program is expected to serve over 500 students.

The Training Program will cost between $53,520 to $136,600 depending on the quantity of intensive sessions funded.

Pneuma Corporation Training Program

GENERAL

Pneuma Corporation hereby applies for a grant for the provision of alcohol / drug counselor education courses. The training program will include counselor certification based training, board training, prevention training, alcoholism and drug abuse program management training, and other associated training. This grant is in response to requests from Delta villages for a training program that does not duplicate others available. Recognizing the shortage of funds for this important task, Pneuma is submitting this grant request that ranges from $53,520.00 to $136,680.00, allowing the desired programs to fit funding limitations.

STATEMENT OF NEED

Recovered alcoholics have been a part of most treatment teams since the earliest days of formal treatment programs. Their understanding and empathy gained from their own experience as alcoholics are valuable contributions to the recovery process. Many professionals often have little specialized knowledge or training in alcoholism, making it difficult to relate to the alcoholism community. On the other hand, members of AA themselves have come to recognize that mere experience as a recovering alcoholic does not automatically qualify one to work professionally in the treatment field. Nearly all have problems stemming inherently from a lack of training and specific knowledge of alcohol and other drug treatment issues.

Specialized knowledge of alcoholism and training specific to treatment of the disease of alcoholism is necessary, regardless of traditional education, degrees, or the experience of recovery. Sporadic introduction of guest lecturers must be complemented by competent teachers who provide continuity and integration. The high burn-out rate among alcoholism workers is a major problem that can be addressed with professional knowledge and training. Workers often enter the field with great idealism and high expectations, work for a while with enthusiastic dedication, then leave with disillusionment or broken health.

GOALS AND OBJECTIVES

The overall goal is to improve the quality and quantity of services offered by those working in prevention and treatment fields in Western Alaska by raising skill levels and increasing knowledge among practitioners and encouraging new workers.

The program responds to the geographical and cultural conditions of the region served. It provides training to the residents of Western Alaska (90% Yupik Eskimo), drawing on students from Pneuma's programs as well as interested villagers from the 18,500 residents of the Yukon-Kuskokwim Delta. Pneuma will coordinate training sessions with YKHC and other providers to avoid duplication and increase training opportunities.

Pneuma's training is to provide motivation and knowledge, to boost workers' morale, keep workers abreast of the latest scientific and treatment information, and provide technical education. The program will offer courses that can qualify for academic credit towards a certificate degree program, as well as requirements for state certification and training.

WORKPLAN / METHODOLOGY

Pneuma has a unitized training program that can be adjusted as funding allows. A training coordinator will provide local training supplemented by this grant.

Up to ten two-week intensive residential training sessions are anticipated. Pneuma will provide the training and support facilities, a training coordinator and support staffing. Trainers will be degreed, culturally sensitive, and experienced professionals drawn from Seattle University's Alcohol Studies Program who will conduct the training at St. Mary's. Students will come from Pneuma Family Life staff, Pneuma Board members, interested villagers from the Delta, and the counseling staffs of other alcohol programs serving the area such as YKHC & PATC.

The program coordinator will arrange for and publicize the unduplicated training sessions, coordinate with other service providers, provide support staff, and assure smooth functioning of the training program.

The primary trainer will be a specialist in the training subject matter. Where similar expertise exists in other service provider's programs, such persons may co-sponsor the training. The pride of authorship of the training program is secondary to the transfer of knowledge and skills to help alcoholism workers.

TRAINING PROGRAM SUBJECTS

The ten topics selected for intensive training sessions are:

1. Survey of Alcoholism - The history, scope, physical, psychological, social, spiritual, and family aspects of alcohol problems. Alcoholism as a disease, its progression, symptoms, causality, treatment, and prevention.
2. Pharmacology / Physiology of Alcohol Use - Physical aspects of alcohol use, alcohol effects and interactions, disease specifics.
3. Alcohol Counseling - Patient-counselor relationships: principles and techniques. Treatment specifics, motivation, methods, relevance.
4. Intervention Training - Intervention methods and goals. Soft and hard intervention techniques. Methodology.
5. Addiction and Youth: Education, Problems, Prevention - Survey of addiction problems among youth with specific reference to Alaska Native problems. Education and prevention techniques, children of alcoholics and the genetic connection.
6. Family Alcoholism and Co-dependency - Alcoholism as a family disease. Co-dependency characteristics and behavior. Treatment opportunities. Family healing and support methods.
7. Suicide Prevention and Intervention - Techniques, depression, warning signs, symptoms, grief and mourning, interventions, suicide watches, relationship to use.
8. Group Dynamics in Treatment - Role playing as a means to development of self-awareness, dynamics of group interaction, introduction to techniques such as psychodrama with applications to alcoholism and co-dependency treatment.
9. Case Management and Assessment - Procedures and skills used in alcoholism referral and treatment. Assessment and intake interview techniques, patient evaluation, casewriting, record-keeping and confidentiality.
10. Modes of Therapy in Treatment - Various therapies commonly used in the counseling of addicts and their families. Theory, principles, and applications.

TRAINING PROGRAM DETAILS

The two week training session will typically begin with a Sunday arrival and a Saturday departure, allowing 13 days for intensive classroom and appropriate field work. Training classes will be held each weekday from 9:30 to 11:30 and from 1:30 to 4:00. Training material will be lecture and group-interaction presentations so students will learn and experience the training matter. Evenings will include social and recreational activities and provide an opportunity for interaction among the twenty students anticipated for each session. Students will pay their own transportation costs, but room and board is provided by the program.

EVALUATION PLAN

Pneuma, the community, students, and their sponsoring agencies will determine if the training Family program is making a difference. They will answer the following questions: Is the course material helpful, correct, and appropriate? Is the trainer? Is knowledge about alcohol and other drugs increased? How can the session be better?

The evaluation will consider resources such as staff and facilities, and the information provided, to examine the immediate results of the training and determine the longer term outcomes anticipated. This evaluation will examine the efforts and effectiveness of each component to determine the financial effectiveness of the training - how much time, effort, and money is required to achieve the training results accomplished.

Trainers and helpers will have a structured evaluation by Pneuma administrators to examine talents and abilities, compliance with Pneuma policies, and opportunities for improvement. At least yearly, an evaluation report will be prepared by Pneuma staff that reviews the extent to which the program has accomplished its goals, and the success in achieving desired outcomes. Evaluation is anticipated to consume 40 hours per training session. For each training program the evaluation is expected to cost approximately $500 which is included in general program costs.

DEMONSTRATION OF COMMUNITY SUPPORT

Every village contacted in the area has asked for training and more training. State certified counselors have asked for additional professional training - relevant training to help their skill development. More students are expected than can be accommodated, as villagers are especially interested in the emphasis Pneuma's programs place on family matters. Students have expressed a special interest in this program from St. Mary's, Mountain Village, Pilot Station, Emmonak, Alakanuk, Sheldon Point, Chevak, Hooper Bay, Tununak, and Tooksook. The City of St. Mary's has strongly endorsed this training program.

DEMONSTRATION OF SERVICE COORDINATION

Coordination with other service agencies has been informal and limited since we have not received funding for an operating program. Pneuma's ideas, especially the non-duplication of training, and the quality of planned sessions has been well received, with participation expected for all training sessions. The programs will be carefully coordinated with YKHC and PATC to assure non-duplication of efforts and to secure assistance in the training sessions themselves. Until funding is provided the service organizations cannot make commitments or approve scheduling.

PROPOSED PERFORMANCE SUMMARY AND COSTS

Service Components	-1- Amount Requested From SOADA	-2- All Other Project Resources	-3- TOTAL PROJECT COST	-4- Proposed Number Of Beds	-5- Proposed # Persons Served
*Prevention (C & E) TRAINING	$136,500.00	$13,650.00	$150,150.00	[redacted]	[redacted]
Emergency Care a) b) c)					
Inpatient Care					
Intermediate Care a) b) c)					
Outpatient Care a) b) c)				[redacted]	
Aftercare				[redacted]	
Outreach				[redacted]	
TOTALS	$136,500.00	$13,650.00	$150,150.00	[redacted]	[redacted]

Footnotes:
1) Prorate administrative costs, including indirect costs, in figuring service component costs. Column 1, SOADA Request, total should be the same as the requested amount on the face sheet of this grant application.
2) If you propose more than one program within a component, these may be shown separately.
3) Column 2, all other project resources, means other state, local, or federal funds, including inkind, project income, donations, etc., that are a part of this project's total cost. Do not include other SOADA grants such as Inmate Counseling or ASAP in Column 2.

*C & E = Consultation and Education

Pneuma Corporation
Training Program

2. Source of Funds: Revenue Detail

Budget rev:

FUND CATEGORY	DESCRIPTION	TOTAL
Project Income (Funds generated by this project)	Third Party Payments: List each source and amount (Vetrans Administration, Insurance Companies, Other) none SUB-TOTAL	-0-
	Client Payments: List per service component and amt. none SUB-TOTAL	-0-
	Other: List per source and amount Contracts: none Local Donations In-Kind Contributions none SUB-TOTAL	-0-
	TOTAL PROJECT INCOME	-0-
Local Contribution (Contributions by your Local Government)	Cash: Identify source and amount none	-0-
	State Revenue Sharing none	-0-
	Other: none CASH SUB-TOTAL	-0-
	In-Kind: List each source and amount Owner donation of facility use and lease IN-KIND SUB-TOTAL	$13,650.00
	TOTAL LOCAL CONTRIBUTIONS	$13,650.00
Federal Contributions	Grants (OSAP, Action, Etc.) Indian Health Service BIA none	-0-
(List Sources)	Other none TOTAL FEDERAL CONTRIBUTIONS	-0-
Other State Contributions	Grants none	-0-
(List Sources)	Other none TOTAL OTHER STATE CONTRIBUTIONS	-0-
State Grant Funds-This Req.	SOADA Grant Request - Training Program	$136,500.00
Total Project Revenue	⑤	$150,150.00

Pneuma Corporation Training Program
FY 90 BUDGET

Pneuma Corporation proposes intensive two-week training sessions that will provide unduplicated training and educational opportunities for alcohol and other drug counselors and workers. The program supplements Pneuma's Family Life Program and uses Pneuma facilities.

BUDGET NARRATIVE

Personal Services - Category 100

1. TRAINING PROGRAM COORDINATOR - 1.0 Full Time Equivalent (FTE)

The training program coordinator works with Pneuma's executive director and is responsible for all aspects of the training program. Training topics and course content, priorities, trainer's credentials, scheduling, staffing, and support services are approved by the executive director and the director's advisory board prior to implementation. The program coordinator is directly responsible for coordination with the trainers and other agencies, student admissions, program arrangements and functioning.

This position will be a year-round, salaried position filled by a knowledgeable and experienced alcoholism treatment worker. In addition to arranging the funded training programs allowed under this grant, the training coordinator will conduct informal training programs throughout the year as time permits.

Salary will be $32,000 per year, to be paid from grant funds.

2. SECRETARY / AIDE - 0.2 FTE

The secretary / aide will provide support services for the program coordinator, assisting with correspondence, publicity, and training session arrangements. This will be a part-time position, based on an annual salary of $20,000 per year. ($4,000 program costs to be paid by this grant.)

FRINGE BENEFITS AND COSTS - 20.5%

7.5% Social Security; 3% ESC; 7% medical benefits; 3% retirement program.

Category 100 - TOTAL DIRECT PERSONNEL COSTS - This grant request.

Training Program Coordinator	$32,000.00	
Secretary / Aide	$ 4,000.00	
Subtotal		$36,000.00
20.5% fringe costs		$ 7,380.00
TOTAL COSTS - CATEGORY 100 - DIRECT PERSONNEL		$43,380.00

Category 200 - TRAVEL COSTS - This grant request.

State Alcohol Training Network (STAN) meeting travel	
Program Coordinator 2 trips KSM/ANC	$ 820.00
Agency Coordination meeting travel	
Program Coordinator 4 trips KSM/BHL	$ 350.00
Per Diem costs when traveling 6 days @ $80	$ 480.00
TOTAL COSTS - CATEGORY 200 - TRAVEL	$ 1,650.00

CATEGORY 300 - FACILITY EXPENSES

The facility is available as an in-kind donation from the owner, the Catholic Bishop of Fairbanks, and is included as such in Pneuma's Family Life Center grant request for alcoholism treatment. A portion of this in-kind donation is allocated to achieve a 10% in-kind contribution for the total amount awarded under this grant.

General communication costs are expected to be $ 900.00

BASE PROGRAM COSTS TOTAL--------------------------------$44,280.00

VARIABLE PROGRAM COSTS - UNITIZED FOR EACH TWO WEEK TRAINING SESSION

Ten training session per year are anticipated. This unitized presentation will allow fewer sessions to occur based on budget constraints and monies available from this grant program.

CATEGORY 100 - PERSONNEL - Per training session

Personnel costs are included in the base program costs. Trainer personnel costs are included in consultant costs - category 600.

CATEGORY 200 - TRAVEL - Per training session

General travel costs are included in the base program costs. Trainer personnel costs are included in consultant costs - category 600.

CATEGORY 300 - FACILITY EXPENSES - Per training session

Facility use costs are an in-kind contribution as explained in the base program costs. Other facility costs specific to each training session:

Telephone, postage, etc. - per training session	$250.00
Utility use fee @ $2/person/day x 13 days x 20 ea	$520.00
Repairs/Maintenance @ $2/person/day x 13 x 20	$520.00
TOTAL COSTS - CATEGORY 300 - FACILITY EXPENSES	$ 1,290.00

CATEGORY 400 - SUPPLIES - Per training session

Course materials and supplies - textbooks, writing materials, etc. @ $32/person x 20 people	$ 640.00
Program supplies - file rentals, brochures etc.	$ 250.00
Household supplies/board allocations @ $15pp x 20	$ 300.00
Food supplies @ $8/pp x 20 persons x 13 days	$ 2,080.00
Medical supplies and misc. @ $5/pp x 20	$ 100.00
TOTAL COSTS - CATEGORY 400 - SUPPLIES	$ 3,370.00

CATEGORY 500 - EQUIPMENT - Per training session

Allowance for audio/visual equip. maintenance	$ 250.00
TOTAL COSTS - CATEGORY 500 - EQUIPMENT	$ 250.00

CATEGORY 600 - OTHER COSTS - Per training session

Professional Services: Consultant costs -	
Professional trainer per diem 15 days @ $80	$ 1,200.00
Trainer travel SEA/KSN 1 trip/session $980	$ 980.00
Trainer Honorarium	$ 1,000.00
Trainer assistants from other programs	$ 500.00
Insurance and bonding:	
Allocation of insurance premium costs	$ 250.00
Session recording costs and tape duplications	$ 400.00
TOTAL COSTS - CATEGORY 600 - OTHER COSTS	$ 4,330.00
PER SESSION PROGRAM COSTS TOTAL	$ 9,240.00

TOTAL GRANT REQUEST SUMMARY

With one two-week training session	$53,520.00
With two two-week training sessions	$62,760.00
With three two-week training sessions	$72,000.00
With four two-week training sessions	$82,240.00
With five two-week training sessions	$90,480.00
With six two-week training sessions	$99,720.00
With seven two-week training sessions	$108,960.00
With eight two-week training sessions	$118,200.00
With nine two-week training sessions	$127,440.00
With ten two-week training sessions	$136,680.00

An in-kind donation of 10% of the amount awarded will be allocated from the in-kind donation of the facility use.

Form 06-2060L

REQUIRED MATCH

THIRD PARTY LETTER OF AGREEMENT

BETWEEN:

Contributing Organization/Individual (Third Party) 907-474-0753
(Name, Address, Phone)
Catholic Bishop of Northern Alaska, 1316 Peger Road, Fairbanks, Alaska 99701

and

Grantee Agency Pneuma Corporation

Program Title Pneuma Family Life Programs Including FY90 Grant Proposals for:

Alcoholism and Co-Dependency Family Treatment Program; Prevention Program; Training Program; and Village Treatment Program.

Type of Donation: Facility Use

Description:

The Catholic Bishop of Northern Alaska, (CBNA), an Alaskan nonprofit corporation sole, is the owner of real property consisting of approximately 173.71 acres, together with all improvements located thereon known as St. Mary's Mission located at St. Mary's, Alaska. In support of Pneuma's Family Life program of education prevention and treatment for alcohol abuse, alcoholism, other drug addiction, and co-dependency, CBNA agrees to donate this property and facility to Pneuma from July 1, 1989 through June 30, 1990 (FY90) if operating funding is made available from the State of Alaska. An appropriate lease, on terms to be negotiated, shall be executed after state funding assurances are completed.

Value: (Detailed Computation)

The appropriate rent for this property is $300,000.00 per year. Such amount shall be spread throughout Pneuma's programs to assure a minimum of 10% in-kind match for each separately funded program or project. The $300,000 calculated to a rental fee of approximately $0.35/sf/month for the over 69,000 sf of buildings donated to Pneuma.

1007/7

I hereby certify that the items or services listed above are the agreed upon contribution to the above named program.

4/10/89
Date

Authorized Representative
Contributing Individual

CERTIFICATION OF MATCHING REQUIREMENTS

Pneuma Corporation Family Life Programs

FY90

Pneuma Corporation

7/1/89 - 6/30/90

7/1/89-6

Robert K. Betz

Financial Officer, [illegible]

$300,000.00

$300,000.00

10%

In-kind contribution from Catholic Bishop of Northern Alaska for facility rent/use at St. Mary's, Alaska............$300,000.00

The in-kind contribution will be allocated between each grant proposal acce to achieve a minimum of 10% matching funds requirement for each program.

[illegible]

VICE PRESIDENT

Appendix A
ASSURANCES

Applicants must indicate their intention to comply with all terms and conditions of this RFP, the terms and conditions of any grant awarded by the Department and with 7 AAC 78, the Department's grant program regulations. These conditions include, but are not limited to:

(1) The provision of Worker's Compensation Insurance.
The provision of liability insurance if automobiles are used for the purpose of this grant program.
The provision of comprehensive general liability insurance.

(2) Compliance with the requirements of the Civil Rights Act of 1964, as amended.

(3) Compliance with Federal and State laws and regulations preventing discriminatory employment practices.

(4) Compliance with Federal and State requirements for safeguarding information. Any information about Department clients that is obtained or developed under grant funds is confidential and cannot be released without the written approval of the Department.

(5) Consent to suit:
Native Council applicants to state grant programs are required to consent to be sued by the State of Alaska upon any claims arising out of the Councils activities under that grant program. Consent to suit will be a special condition of grant award to Native Councils.

(6) Providing State officials access to financial and program records pertaining to the grant and project.

(7) Maintenance of financial and program records for audit.

(8) Ensuring that grant funds will not be used for lobbying

(9) Submission of quarterly fiscal reports, quarterly program narrative reports, monthly program updates, a final project report, and other grant program reports.

(10) As per number 3, above, religious belief or affiliation cannot be either a requirement for service or a factor in the denial of service under these grants.

(11) Compliance with criminal screening requirements as set forth in AS 12.62.035... (Both paid and volunteer employees having supervisory or disciplinary power over children will undergo criminal screening.)

(12) Compliance with single audit regulations 2 AAC 45.

Authorized Signature

I JAMES A. SEBESTA, the chief executive officer, president, or chief of PNEUMA CORPORATION hereby assure the Department of Health and Social Services that, should my organization receive funding for the ____________ grant program, it will comply with the assurances listed on this page. [Date] 4/13/89 [Signature] James A. Sebesta

[Title] PRESIDENT

Appendix C

TRAINING PROGRAM

Acknowledgement of Receipt

Applicant Organization: PNEUMA CORPORATION

Date Application was Mailed APRIL 13, 1989 - EXPRESS

Signature of Applicant's Representative

(Applicant please fill in top)

(DHSS agency)

Your application was received ____________________. After the required evaluation period you will receive another letter notifying you of the granting agency's acceptance or denial of your request.

Thank you for applying to provide services through a Department of Health and Social Services grant.

agency signature / office

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99568
907-438-2334

April 12, 1989

Mr. Ray Jensen, Administrative Officer
State Office of Alcoholism and Drug Abuse
P. O. Box H-05F
Juneau, Alaska, 99811-0607

Re: FY 90 Grant Application
Prevention Program
Dear Mr. Jensen,

Enclosed are six copies of our application for Pneuma's FY 90 Prevention Program.

The program coordinates with and expands services from Pneuma's Family Life Treatment Program which is our FY 90 base program. These prevention strategies avoid duplication of other programs while assuring integration into a comprehensive package of education, prevention and treatment.

Prevention, Training, Family Treatment, and Village Treatment are subjects of separate grant requests.

The proposed Prevention Program is cost effective since it utilizes programs and personell from Pneuma's concurrent treatment program and focuses on coordinated efforts to address the problem of alcohol and other drug abuse, addiction, and co-dependency.

We will be happy to supply any additional information you may require so this program can be implemented.

Very Truly Yours,

PNEUMA CORPORATION

Robert K. Betz

Robert K. Betz, Vice President

ADMINISTRATION - 2890 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-6848
FINANCE - 801 BARNETTE ST. FAIRBANKS AK. 99701 PHONE 907-452-2372

DEPARTMENT OF HEALTH & SOCIAL SERVICES

GRANT APPLICATION

1 State Granting Agency
State Office of Alcoholism and Drug Abuse (SOADA)

2 Applicant Organization Name
Pacuma Corporation

3 Business Address
Finance Office 801 Barnette Street, Fairbanks, Alaska 99701

4 Mailing Address
2090 North Kobuk Street, Fairbanks, Alaska 99709

5 Phone
907-479-6848

6 Program or Project Name
Pacuma Family Life Program - PREVENTION COMPONENT

7 Project Location
St. Mary's Mission, St. Mary's, Alaska 99658

8 Mailing Address
P. O. Box 172, St. Mary's, Alaska 99658

9 Phone
907-438-2534

10. Type of Program
PREVENTION PROGRAM

11 Proposed Budget Years
FY 90 and FY

12 Budget Period
Beginning July 1, 1989 Ending June 30, 1990

13 Type of Application
☒ New ☐ Continuation

14 Type of Organization
☒ Private/Non-profit ☐ Government

15. Date of Incorporation
March 1980

CONTACT INDIVIDUALS

16. Authorizing Person
James A. Sabato, President
Phone
907-479-6848
Mailing Address
2090 North Kobuk Street, Fairbanks, Alaska 99709

17 Financial Management
Robert E. Betz, Vice President
Phone
907-452-2372
Mailing Address
801 Barnette Street, Fairbanks, Alaska 99701

18 Project Director
- Ardi Bury, Executive Director
Mailing Address
P.O. Box 172 St. Mary's Alaska 99658

19 Amount of State Funds Requested
FY $
FY 90 $ $181,425

20 List all other State Health & Social Services or Federal Health & Human Svcs. grants received or applied for by applicant during proposed budget years

Type	State/Federal	Amount	Period
Alcoholism & Co-Dependency Treatment	(Applied to SOADA)	$916,400	FY 90
Training Program	(Applied to SOADA)	$136,600	FY 90
Village Treatment Program	(Applied to SOADA)	$797,855	FY 90

21 Service Component Locations	Business Address	Mailing Address	Phone
All Services headquartered at St. Mary's Mission		P.O. Box 172 St. Mary's Alaska 99658	907-438-2534

TERMS AND CONDITIONS. The undersigned grant applicant agrees to abide by the grant requirements and policies as described by law and delineated in 7 AAC 78 and the Grant Application Package.

Authorized Signature James A. Sabato
Date 4/12/89

FOR STATE USE ONLY

20a Appl. Received-Central Office	Application Number	Approved
20b Reviewed by Council	Date	Not Approved
20c Award Decision Made	Assigned Project No.	Amount Awarded
20d Notification Sent	[illegible]	[illegible]

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

# FUNDING REQUEST and PROGRAM DETAILS
for
Pneuma Corporation Prevention Program

April 1989
FY 90 SOADA GRANT PROPOSAL

Pneuma seeks a $181,425 FY90 grant for a comprehensive and cohesive prevention program with numerous components. The base funding request is $64,540 plus $65,630 for a COA program, and $51,255 for a Radio Reader Program.

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Acknowledgement of Receipt....................End

Finance Contact Person: Robert K. Betz, Fairbanks Finance Office

PNEUMA CORPORATION

P.O. BOX 178
ST. MARY'S, ALASKA 99658
907-438-2534

PREVENTION PROGRAM

Pneuma seeks a FY 90 SOADA grant for a comprehensive Prevention Program as a vital component of Pneuma's Family Life Program. Prevention efforts, designed to prevent dependency, are the most cost effective way to deal with the problem of alcohol and other drug abuse so that more expensive and difficult treatment programs become unnecessary.

It is a fact of medical history that no major public health problem was ever solved by treatment, but rather by prevention. Pneuma's Prevention Program is a part of a cohesive, comprehensive program of education, prevention and treatment that addresses the physical, psychological, social and spiritual facets of the problem.

Prevention strategies will focus on four major strategies: Community change; Community response; Cultural heritage; and Public Information. They will influence positively the individual's decision-making skills regarding the use, misuse, or nonuse of alcohol. Prevention services will include information, education, and training combined with drug-free activities.

Outreach efforts work to identify persons in need of services, alerts them to the availability of services, locates such services, and enables them to enter such programs and accept the services available. Prevention activities can lead to an intervention which leads to treatment for alcohol or other drug addiction and its associated co-dependency.

Intervention attempts to reverse the early stages of dysfunctional drinking or other drug experimentation, and provide help before the disease of addiction takes over. Intervention follows from the Prevention Program activities in a natural sequence and is performed in a loving, caring, and culturally sensitive manner, guided by the family and friends.

Numerous community activities can be refocused into prevention strategies through assistance and guidance by Pneuma staff as an important component of the comprehensive Family Life Program.

The program will serve all residents of the Yukon-Kuskokwim Delta with concentrated services for the City of St. Mary's. Professional counselors with a firm knowledge and skills background will provide or guide the prevention strategies and services.

Pneuma is a non-profit, non-denominational corporation in which professionally qualified and committed people collaborate with volunteers. The corporation has local and state-wide advisory boards which provide input, operational assistance and direction.

The FY 90 basic funding request is $64,540. A added CHildren of Alcoholics program will cost $65,630 and a Radio Reader program that can be broadcast state-wide will cost $51,255 for a total grant request of $181,425 supplemented by in-kind donations.

ADMINISTRATION - [illegible] N. KOBUK FAIRBANKS AK. 99709 PHONE [illegible]
FINANCE - [illegible] BARNETTE ST. FAIRBANKS AK. 99701 PHONE [illegible]

Pneuma Corporation Prevention Program

Pneuma Corporation hereby applies for a grant for a broad range of PREVENTION services as a component of Pneuma's comprehensive Family Life Program. The grant request will serve targeted subgroups of the 18,500 population of the Yukon-Kuskokwim Delta, but some services will be statewide. The grant request is for $181,425.00.

SUMMARY OF PREVENTION STRATEGIES, PROGRAMS, PEOPLE SERVED, TIMELINES

Program Activity	Program Strategies - See details	No. Served Unduplicated
	Community Change Strategies	
PRIMARY AND SECONDARY PREVENTION ACTIVITIES	Alcohol & Drug-free activities	900
	Community recreation activities	900
	Health Care Professionals Strategies	60
	FAS Prevention Strategies	3,000
TIMELINE: (On-going throughout the funding cycle)	Community Response Strategies	
	Children of Alcoholics Program	350
	Adult Children of Alcoholics Program	100
	Public Forums and Speakers Programs	2,000
	Volunteer Programs	250
These strategies support or lead to the tertiary phase of prevention which is treatment.	Educational Seminars & Course Offerings	100
	School Prevention Program Presentations	800
	Employee Assistance Plans	200
	Cultural Heritage Strategies	
	Alaska Native Counselor Training	35
	Cultural Heritage Programs	900
	Native Arts and Crafts Activities	600
	Skill Development & Action Strategies	200
	Adult/Youth Programs	600
	Communications Seminars	500
	Family Life Quality Seminars	900
	Self-help Fellowships	1,500
	Public Information Strategies	
	Community Bulletins & Newsletters	5,000
	Pneuma Radio Reader Program	75,000
	Newspaper Information Releases	75,000
	Direct Intervention targeted population:	600

INTERVENTION comes between the alcoholic and their disease to facilitate recovery. It is a carefully planned process, not of confrontation, but a process of loving concern by those closest to the alcoholic, in which the tangible goal of entering treatment is to be achieved.

TREATMENT PROGRAMS provide tertiary prevention services which are detailed in Pneuma's Family Life Program Grant Request. This prevention program is an important supplement to that basic services grant proposal. It will provide a cohesive program that addresses all facets of the problem.

STATEMENT OF NEED

1. Alcohol is the number one public health problem in Alaska. It is responsible for personal tragedy, violence, family abuse, neglect and desperation. The disease of alcoholism is chronic, progressive, and fatal. Alcoholism is treatable and can be entirely arrested through abstinence. There is no healthy way to adapt to alcoholism.

2. Social Service Agencies and the State Troopers have testified that alcohol is involved in nearly all their rural intervention activity. Some state that most rural alcohol abusers are sporadic or binge drinkers who maintain some periods of stability between episodes. This belies the public health model of alcoholism as an addictive disease and underscores the need for education and prevention services.

3. Family members living with an addict suffer a debilitating co-dependency. They become predictably and compulsively involved with the using member and their behavior. The family is unstable, often unknowingly. They lack good models to form their own identity. They develop coping mechanisms identified as the enabler, the hero, the scapegoat, the lost child, or the mascot. They are at greater risk of developing addiction themselves.

4. Integrated prevention strategies address this dysfunction. They lead to a loving, culturally appropriate intervention which leads to treatment for an addict's addiction and for the family's co-dependency.

Target Population

1. Pneuma's prevention strategies target the 18,500 people in the Yukon/Kuskokwim Delta, but include programs that reach audiences statewide. Pneuma will avoid duplication of other provider's services, concentrating on St. Mary's and the nearby communities of Mountain Village, Pitka's Point, and Pilot Station (approximately 1,500 people). All share the common heritage and customs of the Yupik Eskimo.

2. Pneuma's Family Life Program staff will provide prevention services at little additional cost. Other communities will receive more generalized services. All communities suffer the debilitation caused by alcohol and other drug abuse, alcoholism, and co-dependency. Pneuma's prevention program enhances and strengthens the community.

PREVENTION PROGRAM

Prevention efforts are designed to prevent dependency or the abuse of alcohol and other drugs. The basic policy, philosophy, goals and objectives are in explicit agreement with the State of Alaska's Office of Alcoholism and Drug Abuse (SOADA). Pneuma's program supports the three major objectives outlined by SOADA:

a. Stabilize and ultimately reduce the consumption of substances capable of being abused (agent).
b. Modified drinking and drug taking practices to reduce the negative consequences of these behaviors (host).
c. Modify the environment in which substance abuse occurs to make substance abuse unacceptable (environment).

PNEUMA PROGRAM GENERAL PURPOSE AND GOALS

1. Pneuma's goal is to provide a family-oriented, professional, culturally sensitive, comprehensive, cohesive, and effective program of education, prevention, outreach, intervention, outpatient and inpatient treatment, and aftercare services that addresses the physical, psychological, social and spiritual aspects of these concerns. The prevention program components detailed in this proposal are integral parts of this coordinated effort.

2. Pneuma's ultimate goal is to improve the people's overall health and quality of life by providing services and promoting activities that will enable the people to develop and maintain healthy forms of daily living, activity, and leadership .

PNEUMA PREVENTION PROGRAM GENERAL OBJECTIVES

1. Alter public attitudes, socio-cultural factors, and environmental conditions conducive to alcohol and other drug misuse and alcoholism. Increase the number of individuals who positively address the problem. Educate the community regarding the addictive properties of alcohol and other drugs, noting the benefits of prevention and treatment. Distribute accurate and objective information that dispels myths and misconceptions.

2. Develop positive role models and ways of coping with stress that exclude alcohol. Increase self-esteem, cultural pride and awareness, psychological adjustment, academic achievement, and spiritual awareness. Provide primary, secondary, and tertiary prevention services. Increase Alaska Native counselor certification. Include volunteers as a part of the treatment process. Insure appropriate clinical behavior toward addicted and co-dependent patients.

SPECIFIC PROGRAM OBJECTIVES, WORKPLAN AND EXECUTION COSTS

COMMUNITY CHANGE STRATEGIES seek to effect positive change within the community. These strategies will include the following service components:

Alcohol-free Community and Family Activities

Specific Program Objectives:
Demonstrate alternatives to activities that involve alcohol and other drugs. Assist families as they address co-dependency syndrome symptoms. Change community attitudes toward activities that include alcohol.

Workplan / Methodology

Pneuma, through the director's advisory board, city council and the Alcohol Task Force, will help plan and operate alcohol-free activities to coincide with community functions.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Community Recreation Activities

Specific Program Objectives:
Increase community participation in intergenerational recreation activities and enhance peer leadership and self-esteem.

Workplan / Methodology

Use Pneuma's Gym facility for alcohol and other drug-free community supervised recreational sports such as basketball, volleyball, gymnastics.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Health Care Professional Strategies

Specific Program Objectives:

To provide factual, scientific information regarding addiction and co-dependency to the medical community to positively influence their attitudes toward at-risk patients, and work with them in interventions.

Workplan / Methodology

Create an interdisciplinary intervention team and sponsor seminars with informative technical articles and presentations.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, funding required from this grant is limited to materials and distribution costs.

Fetal Alcohol Syndrome (FAS) Prevention Strategies

Specific Program Objectives:

To reduce the incidence and prevalence of FAS; to intervene and encourage support and treatment for women at-risk.

Workplan / Methodology

Provide FAS materials, noting prevention and treatment opportunities. Cooperate with other FAS prevention efforts. Offer residential care and provide same in Pneuma's Family Life Program.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore funding required from this grant is limited to materials and distribution costs.

COMMUNITY RESPONSE STRATEGIES impact and involve the community as a whole. These strategies will include the following service components:

Children of Alcoholics Program

Specific Program Objectives:

To eliminate youth alcohol and other drug use through an individualized program to help the young people solve personal and family problems. Help young people to feel comfortable and self-satisfied without the use of alcohol or other drugs. Address family problems and co-dependency syndrome symptoms. Provide adult role models and youth activities in an alcohol-free environment.

Workplan / Methodology

Provide a daily, 4-6 hour-long supervised youth activity and recreational program. Provide counselors, teachers and community members as role models. Provide elder story-telling programs. Develop peer leadership and promote healthy habits. Decrease alcohol and other drug use experimentation. Acquaint children of alcoholics with their susceptibility to addiction. Promote co-dependency treatment. Appropriately intervene.

Program Execution and cost

A separate staff person is required to coordinate this activity and promote volunteer assistance. Funding is required for this position and for program equipment and supplies.

Adult Children of Alcoholics Program

Specific Program Objectives:

To address co-dependency syndrome problems among adults and to encourage family healing and community support.

Workplan / Methodology

Provide weekly two hour group activity and counseling sessions. Integrate and coordinate with Family Life Program activities and include education on alcohol and other drug abuse, alcoholism, and co-dependency.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Public Forums and Speakers Program

Specific Program Objectives:

To increase community awareness of alcohol and other drug abuse, addiction, and co-dependency related issues. To encourage positive community attitude changes.

Workplan / Methodology

Provide twice monthly hour-long forum/discussion programs regarding different aspects of alcohol and other drug-related issues. Provide a yearly day-long forum/discussion program which explores community activities and support for Pneuma programs.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Volunteer Programs

Specific Program Objectives:

To develop a corps of volunteers who will serve as role models and assist the comprehensive prevention and treatment programs.

Workplan / Methodology

Work with all community organizations and enlist their assistance in Pneuma programs. Develop on-call volunteer listings for program aid.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Educational Seminars and Course Offerings

Specific Program Objectives:

To provide local formal and informal educational opportunities on alcohol and other drug-related issues, increasing awareness and encouraging professional development. To provide educational courses leading to counselor certification and counselor-trainee upgrading.

Workplan / Methodology

Provide a formal educational program as detailed in Pneuma's separate Training Grant Request.

Program Execution and cost

This program is to be separately funded through a Training Grant Proposal request. No costs are included in this grant request.

School Prevention Program Presentations

Specific Program Objectives:

To provide presentations to all school children and develop a supportive working relationship with school personnel as an aid to intervention and treatment.

Workplan / Methodology

Working with school counselors, provide classroom or assembly presentations to all school children. Assist school prevention programs, interventions and assessments as requested.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Employee Assistance Programs (EAP)

Specific Program Objectives:

To assist employers to maintain an effective EAP. To provide counseling, education, prevention, and treatment services to all EAP's.

Workplan / Methodology

Contact employers and review EAP opportunities and benefits. Secure contractual arrangements with EAP's for services.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, funding required from this grant is limited to EAP materials and their distribution.

CULTURAL HERITAGE STRATEGIES accommodate the area's cultural diversity, incorporating

cultural values, attitudes, behaviors, and lifestyles in the specific service components of this strategy:

Alaska Native Counselor Training Program

Specific Program Objectives:

To increase Alaska Native certification as counselors.

Workplan / Methodology

Provide educational and training program leading to CCDC I certification. Give preferential hiring to local people interested in treatment careers. Provide a supportive, informative, and culturally sensitive working environment.

Program Execution and cost

This program is to be separately funded through a Training Grant Proposal request. No costs are included in this grant request.

Cultural Heritage Programs

Specific Program Objectives:

To ensure that all Pneuma programs are culturally sensitive and appropriate; that they include the Native People's strong spiritual traditions and respect for nature.

Workplan / Methodology

Foster the knowledge of, and respect for, Native customs and heritage in all program offerings. Involve traditional leaders and elders and insure that the Director's Advisory Board reviews all program offerings for cultural appropriateness. Foster community support and involvement in Native customs.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Native Arts and Crafts Activities

Specific Program Objectives:

To cooperate with community programs that promote skill development, cultural knowledge and pride, integrating the efforts with an alcohol and other drug abuse prevention effort.

Workplan / Methodology

Provide Pneuma staff and physical facilities as desired by the community as an assist to arts and crafts activities. Focus on self-esteem and personal growth aspects in support of general prevention activities.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, funding required from this grant is limited to materials and supplies supporting the community efforts.

Skill Development and Alternative Action Strategies

Specific Program Objectives:

To develop personal pride and personal values that support efforts to lead drug-free and rewarding lives while developing talents and skills.

Workplan / Methodology

Provide program and community recognition for personal improvements and skill developments. Provide certificates of appreciation and accomplishment that encourage peer participation.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Adult/Youth Programs

Specific Program Objectives:

Help break down intergenerational barriers and provide appropriate role models for youth, assist in family and community healing, and provide alcohol-free activities.

Workplan / Methodology

Enhance community change and community response strategies by focusing on positive adult/youth interplay.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Communications Seminars

Specific Program Objectives:
Increase communication skills. Encourage non-threatening conversations about alcohol and other drugs, abuse, alcoholism, and co-dependency.

Workplan / Methodology

Promote adult/youth communications patterns such that young people will trust the wisdom of adults enough to use that wisdom. Sponsor communications skills seminars/forums.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Family Life Quality Seminars

Specific Program Objectives:
Seek recognition of family co-dependency syndrome symptoms and unhealthy family life caused by alcohol or other drug use or addiction. Introduce benefits of treatment. Support stable family environments.

Workplan / Methodology

Provide seminars/forums/discussion groups that reviews co-dependency symptoms and promotes individual's ability to take action.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

Self-help Fellowships

Specific Program Objectives:
Encourage all self-help fellowships. Promote AA and Alanon as specific examples of effective self-help programs.

Workplan / Methodology

Provide meeting space and other assistance for any self-help fellowship organization and encourage participation. Maintain the fellowship's integrity and respect operating guidelines.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

PUBLIC INFORMATION STRATEGIES distribute accurate and objective information on alcohol and other drug-related issues to increase awareness, receptivity, and sensitivity. These strategies will include the following service components:

Community Bulletins and Newsletters

Specific Program Objectives:
To reinforce positive public perceptions and provide written reference material detailing activities and encouraging local participation.

Workplan / Methodology

Provide monthly newsletter to all communities and Pneuma Associates. Include program explanations and useful factual information.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, funding required from this grant is limited to postage and supplies.

Pneuma Radio Reader

Specific Program Objectives:

To reach all Delta area residents with a weekday radio program, similar to that on public radio, that will read alcohol issue books to provide useful, hopeful, and factual information.

Workplan / Methodology

Provide half-hour broadcast-ready tapes to radio stations statewide in which books are read by professional broadcasters. With approximately 20 readings per book, the program is expected to broadcast 12 books per year. Permission has been obtained to read UNDER THE INFLUENCE by Dr. James R. Milam; ALCOHOLISM, THE GENETIC INHERITANCE by Kathleen Fitzgerald, and; TIME IS ALL WE HAVE, Four Weeks at the Betty Ford Center, by Barnaby Conrad. The program will provide byline credits to the author, publisher, and Pneuma, encouraging listeners to submit reactions and encouraging their consideration of treatment.

Program Execution and cost

Program costs are detailed in the budget portion of this grant request. Costs are incurred for taping, duplication, and distribution.

Newspaper Information Releases

Specific Program Objectives:

Increase awareness, concern, and sensitivity of alcohol and other drug-related issues and treatment opportunities.

Workplan / Methodology

Provide regular news releases or commentary on alcohol and other drug-related issues.

Program Execution and cost

Pneuma's Family Life Program will provide staffing and coordination for this activity, therefore no separate funding is required from this grant proposal.

INTERVENTION comes between the alcoholic and their disease to facilitate recovery. It

is a carefully planned process of confrontation with the alcoholic in which there is a specific, tangible goal to be achieved within a specific time frame.

Specific Program Objectives:

1. To avoid a "hitting bottom" fallacy where the alcoholic is allowed to continue their behavior until they come to their senses. The family suffers with them, often falling faster into their own co-dependency syndrome, so intervention assists both the alcoholic member and the rest of the family.
2. To provide help to co-dependents seeking help outside the family.
3. To provide professional assistance, technical education, and counseling that assists in the intervention process.
4. To have the intervention process culminate with an appropriate treatment program for the alcoholic and the co-dependent family.

Workplan / Methodology

1. Provide family and group counseling or seminars that assist the family in breaking their wall of delusion, accepting the disease concept of alcoholism, and recognizing their feelings.
2. Establish an intervention team that share the following assumptions:

...Alcoholism is a disease that kills the alcoholic and destroys the family.

...Denial is part of the disease. Intervention breaks through this denial so the alcoholic will see the reality of the disease and seek treatment.

...Alcoholism is the primary cause of the alcoholic's condition. Problems are the effects of the untreated disease.

...Total abstinence is the ultimate goal. Treatment is a must.

Program Execution and cost

A separate, qualified intervention counselor is required. The position will assist with other prevention activities when not directly involved in interventions. Funding is required for this position.

Treatment Programs are included in Pneuma's Family Life Program and do not require any funding under this grant request.

GENERAL WORKPLAN IMPLEMENTATION

Pneuma's prevention strategies are generally integrated into the Family Life Program. Daily schedules permit counselors to integrate their treatment activities with prevention and outreach efforts. Scheduling also permits the facility to be used for community meetings, [illegible]s, discussions, and recreation and other activities without interfering with treatment programs.

PROGRAM EVALUATION

1. Specific evaluation methods will be as detailed in the USDHSS Public Health Service publication "Handbook for Evaluating Drug and Alcohol Prevention Programs", DHHS Publication ADM87-1512, 1987.

2. On-going evaluations will be accomplished during daily staff meetings, by the Director's Advisory Board, and the Board of Directors in accordance with Pneuma Policy and Procedures. At least annually, Pneuma will host a community evaluation forum in which the community will review Pneuma's program offerings and accomplishments.

3. Measures of program activities will be quantified and reported to SOADA as to number of meetings, activities, personnel hours expended, groups and individuals accepting services, presentations, training activities, counseling hours, program participants, community outreach, special events, educational presentations, seminars, community and youth activities, EAP plans serviced, self-help fellowship meetings assisted, bulletins and newsletters distributed, news releases, Radio reader presentations, and all other program related efforts.

4. The community, led by the director's advisory board, will determine if the Prevention Program is making a difference. The community will answer the following questions: Are attitudes about alcohol and other drug use changed? Is knowledge about harmful effects of alcohol and other drugs increased? Are alcohol and other drug use reduced, prevented? Are Pneuma's goals and objectives being met?

5. The community evaluation will specifically evaluate performance against stated goals and consider resources such as staff, facilities, and services provided to examine the immediate results of the prevention services and determine the longer term outcomes anticipated. This evaluation will examine the efforts and effectiveness of each component to determine the financial effectiveness of the program - how much time, effort, and money is required to achieve the results accomplished.

6. Employees and volunteer helpers will have a structured evaluation by their supervisors to examine talents and abilities, compliance with Pneuma policies, and opportunities for improvement or advancement.

7. Yearly, an evaluation report will be prepared that summarizes the programs, goals, and accomplishments. Each employee is anticipated to consume a minimum of 40 hours per year in the evaluation process. For the prevention program as a whole, the evaluation is expected to require 300 hours per year, at a cost of approximately $4,000.

DEMONSTRATION OF COMMUNITY SUPPORT / INVOLVEMENT

1. The community of St. Mary's is directly involved in planning and supporting this project. Five of the nine Board of Directors are Alaska Native residents of St. Mary's, as are all members of the Executive Director's Advisory Board. The City of St. Mary's and St. Mary's Native Corporation have issued letters of support, and the School District has indicated their support and encouragement for a quality, integrated program. Pneuma is community-based in St. Mary's, with only volunteer assistance provided from elsewhere.

2. Other targeted communities have demonstrated their support by signing petitions and encouraging prompt expansion of services so their residents can receive services. Publicity has been generally limited to word-of-mouth promotions, so the groundswell of encouragement so demonstrated is a sign of deep-seated support. Villages have reviewed Pneuma's grant request and provided input and emphasis recommendations that are incorporated herein.

DEMONSTRATION OF SERVICE COORDINATION

1. Present efforts for service coordination are limited since funding has not permitted Pneuma to provide planned services. YKHC conducted a training session at the Pneuma St. Mary's facility and coordination and cooperation should result when Pneuma has funds to operate planned programs. Pneuma is making concerted efforts to avoid duplicating services of other providers such as YKHC and PATC, rather encouraging participation in joint efforts to address the prevalent problems of the region. PATC and YKHC provide meaningful and effective services. It is Pneuma's intention to utilize these experts in Pneuma's programs where appropriate.

2. As this proposal is being written, Pneuma has just begun residential treatment, limited by the meager funds available. Accordingly, we are in the process of establishing interagency referral mechanisms, plans for training, memoranda of agreements, and procedures for the release/sharing of patient information. These features can be expected to be in place shortly, but have been premature to this point.

3. Pneuma seeks to cooperate and actively interface with other services in the area such as Bethel Hospital, YKHC's Regional Programs, PATC, the Maternal Child Health Program, local School Districts and state agencies such as the State Troopers, Family and Youth Services, Community and Regional Affairs, AA. Alanon, Alateen and other self-help fellowships, and programs such as Village Alcohol Task Forces, Village Alcohol Education Counselors (VAEC), and Alcohol Safety Action Programs.

PROPOSED PERFORMANCE SUMMARY AND COSTS

Service Components	-1- Amount Requested From SOADA	-2- All Other Project Resources	-3- TOTAL PROJECT COST	-4- Proposed Number Of Beds	-5- Proposed # Persons Served
*Prevention (C & E)	$181,425.00	$18,142.00	$199,567.00	■	■
Emergency Care a) b) c)					
Inpatient Care					
Intermediate Care a) b) c)					
Outpatient Care a) b) c)				■	
Aftercare				■	
Outreach				■	
TOTALS	$181,425.00	$18,142.00	$199,567.00	■	■

Footnotes:
1) Prorate administrative costs, including indirect costs, in figuring service component costs. Column 1, SOADA Request, total should be the same as the requested amount on the face sheet of this grant application.
2) If you propose more than one program within a component, these may be shown separately.
3) Column 2, all other project resources, means other state, local, or federal funds, including inkind, project income, donations, etc., that are a part of this project's total cost. Do not include other SOADA grants such as Inmate Counseling or ASAP in Column 2.

*C & E = Consultation and Education

Pneuma Corporation
Prevention Program

2 .. Source of Funds: Revenue Detail

Budget [illegible]

FUND CATEGORY	DESCRIPTION	TOTAL
Project Income (Funds generated by this project)	Third Party Payments: List each source and amount (Vetrans Administration, Insurance Companies, Other)	
	none	
	SUB-TOTAL	-0-
	Client Payments: List per service component and amt.	
	none	
	SUB-TOTAL	-0-
	Other: List per source and amount	
	Contracts:	
	none	
	Local Donations	
	In-Kind Contributions	
	none	
	SUB-TOTAL	-0-
	TOTAL PROJECT INCOME	
Local Contribution (Contributions by your Local Government)	Cash: Identify source and amount	
	none	-0-
	State Revenue Sharing	
	none	-0-
	Other:	
	none	-0-
	CASH SUB-TOTAL	
	In-Kind: List each source and amount	
	Owner donation of facility use and lease	$18,142.00
	IN-KIND SUB-TOTAL	
	TOTAL LOCAL CONTRIBUTIONS	$18,142.00
Federal Contributions	Grants (OSAP, Action, Etc.) Indian Health Service BIA	
	none	-0-
(List Sources)	Other	
	TOTAL FEDERAL CONTRIBUTIONS	
Other State Contributions	Grants	
	none	-0-
(List Sources)	Other	
	none	
	TOTAL OTHER STATE CONTRIBUTIONS	-0-
State Grant Funds-This Req.	SOADA Grant Request Fy 90 Prevention Program	$181,425.00
Total Project		$199,567.00

Pneuma Corporation Prevention Program
FY 90 BUDGET

Pneuma Corporation proposes comprehensive prevention and outreach services in a cohesive program that can lead to treatment if required. The prevention strategies utilize Pneuma Family Life Program staff and facilities, permitting a lower budget for this program component. A base program staff is required for program coordination. Unitized program costs allow SOADA to adjust the grant amount to funds available based on the programs they wish to fund. A total of $181,425 is requested for full funding.

GRANT FUNDING REQUEST SUMMARY FOR PNEUMA PREVENTION PROGRAMS:

PROGRAM IDENTIFICATION	PEOPLE SERVED	GRANT REQUEST
Community Change Strategies		
Alcohol & Drug-free activities	900	$ -0-
Community recreation activities	900	$ -0-
Health Care Professionals Strategies	60	$ 800
FAS Prevention Strategies	3,000	$ 800
Community Response Strategies		
Children of Alcoholics Program (see below)	350	$65,630
Adult Children of Alcoholics Program	100	$ -0-
Public Forums and Speakers Programs	2,000	$ -0-
Volunteer Programs	250	$ -0-
Educational Seminars & Course Offerings	200	$ -0-
School Prevention Program Presentations	800	$ -0-
Employee Assistance Plans	200	$ 900
Cultural Heritage Strategies		
Alaska Native Counselor Training	35	$ -0-
Cultural Heritage Programs	900	$ -0-
Native Arts and Crafts Activities	600	$ 750
Skill Development & Action Strategies	200	$ -0-
Adult/Youth Programs	600	$ -0-
Communications Seminars	500	$ -0-
Family Life Quality Seminars	900	$ -0-
Self-help Fellowships	1,500	$ -0-
Public Information Strategies		
Community Bulletins & Newsletters	5,000	$ 900
Pneuma Radio Reader Program (see below)	75,000	$51,255
Newspaper Information Releases	75,000	$ 500
Direct Intervention	600	$ 400
TOTAL Allocated Program Costs		$121,935
TOTAL GRANT REQUEST AMOUNT		$ 181,425.00

BUDGET NARRATIVE

Personal Services - Category 100

1. PREVENTION PROGRAM COORDINATOR - 1.0 Full Time Equivalent (FTE)

This position works with Pneuma's director and is responsible for all aspects of the prevention program in accordance with Pneuma policies and program narratives. Considerable effort is consumed in integrating the prevention programs into a cohesive and organized effort that supports the Family Life Program. This position is responsible for operation and integration of four major program strategies and 22 prevention programs. Priorities, scheduling, staffing, and support services are approved by the director and the director's advisory board. This position is responsible for coordination with other agencies to avoid duplication, record-keeping, and program arrangements and functioning. It is a year-round, salaried position filled by a knowledgeable and experienced alcoholism treatment worker. Salary will be $36,000 per year, to be paid from grant funds.

2. SECRETARY / AIDE - 0.5 FTE

The secretary / aide will provide support services for the program coordinator, assisting with correspondence, publicity, and prevention program arrangements. This will be a part-time position, based on an annual salary of $20,000 per year. ($10,000 cost to be paid by this grant.)

FRINGE BENEFITS AND COSTS - 20.5%

7.5% Social Security: 3% ESC; 7% medical benefits; 3% retirement program.

Category 100 - TOTAL DIRECT PERSONNEL COSTS - This grant request.

Training Program Coordinator	$36,000.00
Secretary / Aide	$10,000.00
20.5% fringe costs	$ 9,430.00
TOTAL COSTS - CATEGORY 100 - DIRECT PERSONNEL	$55,430.00

Category 200 - TRAVEL COSTS - This grant request.

State meetings travel-Coordinator 2 trips KSM/ANC	$ 820.00
Agency Coordination travel 8 trips KSM/BML	$ 700.00
Village prevention travel 10 trips @ $150	$ 1,500.00
Per Diem costs when traveling 8 days @ $80	$ 640.00
TOTAL COSTS - CATEGORY 200 - TRAVEL	$ 3,660.00

CATEGORY 300 - FACILITY EXPENSES

The facility use is an in-kind donation included in Pneuma's Treatment grant request. A portion of this donation is to achieve a 10% in-kind contribution for this grant. Telephone costs are expected to be $ 400.00

CATEGORY 400, 500, 600, 700

Costs are allocated to each program so no base amount is included.

BASE PROGRAM COSTS TOTAL------------------------------$59,490.00

Program expenditures of less than $1,000 are for publications, mailings, and general program supplies. These are consolidated into CATEGORY 400 - Supplies and total...................................$ 5,050.00

CHILDREN OF ALCOHOLICS (COA) PROGRAM BUDGET DETAILS

Personal Services - Category 100

1. COA PROGRAM COORDINATOR - 1.0 Full Time Equivalent (FTE)

This position is responsible for all aspects of the COA program in accordance with Pneuma policies and program narratives. Considerable effort is consumed in integrating the COA program into the Family Life Program, securing volunteers, program functioning and recod keeping. Activities, scheduling, staffing, and support services are approved by superiors. This position is a salaried position filled by a knowledgeable and experienced youth worker who has a special rapport with young people. Salary will be $34,000 per year, to be paid from grant funds.

2. SECRETARY / AIDE - 0.3 FTE

The secretary / aide will provide support services for the program coordinator, assisting with correspondence, publicity, and program arrangements. This will be a part-time position, based on an annual salary of $20,000. ($6,000 program costs to be paid by this grant.)

FRINGE BENEFITS AND COSTS - 20.5%

7.5% Social Security; 3% ESC; 7% medical benefits; 3% retirement program.

Category 100 - TOTAL DIRECT PERSONNEL COSTS - This grant request.

Training Program Coordinator	$34,000.00
Secretary / Aide	$ 6,000.00
20.5% fringe costs	$ 8,200.00
TOTAL COSTS - CATEGORY 100 - DIRECT PERSONNEL	$48,430.00

Category 200 - TRAVEL COSTS - COA grant request.

Local travel on special youth activities	$ 1,000.00

CATEGORY 300 - FACILITY EXPENSES

Facility use costs are an in-kind contribution. Other facility expenses:

Telephone, postage, etc.	$ 200.00
Utility use fee @ $1/person/day x 350 days x 28 ea	$9,800.00
Repairs/Maintenance @ $50/week x 52 weeks	$2,600.00
TOTAL COSTS - CATEGORY 300 - FACILITY EXPENSES	$12,600.00

CATEGORY 400 - SUPPLIES

Recreational supplies, misc. materials	$ 900.00
Film rentals, publications etc.	$1,200.00
TOTAL COSTS - CATEGORY 400 - SUPPLIES	$2,100.00

CATEGORY 500 - EQUIPMENT No budgeted costs to this program

CATEGORY 600 - OTHER COSTS No budgeted costs to this program

Allocation of insurance premium costs	$ 1,500.00

The COA program is a continuation of a SOADA funded program begun in Nov '88 and has served a daily average of 35 young people. This proposed program costs $100 per day or less than $1 per hour per person served.

COA PROGRAM COSTS TOTAL.......................$ 65,630.00

PNEUMA RADIO READER PROGRAM COSTS

CATEGORY 100 - Personnel

1. SECRETARY / AIDE - 0.1 FTE

This position will provide support and coordination services, arranging for program production, duplication and airing. This will be a part-time position, based on an annual salary of $20,000. ($1,000 program costs to be paid by this grant.)

FRINGE BENEFITS AND COSTS - 20.5%

7.5% Social Security: 3% ESC; 7% medical benefits; 3% retirement program.

Category 100 - TOTAL DIRECT PERSONNEL COSTS - This grant request.

Secretary	Subtotal	$ 1,000.00
	20.5% fringe costs	$ 205.00
TOTAL COSTS - CATEGORY 100 - DIRECT PERSONNEL		$ 1,205.00

CATEGORY 200, 300 No budgeted costs to this program

CATEGORY 400 - SUPPLIES

Master tape stock - 12 books x 10 tapes @ $30	$3,600.00
Two broadcast tape sets - 240 tapes @ $30 + $10	$9,600.00
Mailing materials 240 sets @ $5	$1,200.00
TOTAL COSTS - CATEGORY 400 - SUPPLIES	$14,400.00

CATEGORY 500 - EQUIPMENT

Tape deck, recording equipment	$3,000.00

CATEGORY 600 - OTHER COSTS

Costs include engineer and producer taping time estimated at 3 hours per half hour broadcast time, requiring 60 hours per book. (12 per year).

Allocation of insurance premium costs	$ 250.00
Engineer time - 60 hours x 12 books @ $15/hr	$10,800.00
Producer time - 60 hours x 12 books @ $30/hr	$21,600.00
TOTAL COSTS - CATEGORY 600 - OTHER COSTS	$32,650.00

The Pneuma Radio Reader program will reach a statewide population, estimated at 75,000 people five times a week. An in-kind donation of 10% of the grant request will be allocated for facility use and volunteer coordination.

PNEUMA RADIO READER PROGRAM COSTS TOTAL........$ 51,255.00

TOTAL PREVENTION PROGRAM BUDGET SUMMARY		Category Breakdown:	
Base Program Costs:	$ 59,490.00	Category 100 - Personnel	$105,065
Minimal cost programs:	$ 3,050.00	Category 200 - Travel	$ 4,660
Children of Alcoholics:	$ 65,630.00	Category 300 - Facility	$ 13,000
Pneuma Radio Reader:	$ 51,255.00	Category 400 - Supplies	$ 21,550
		Category 500 - Equipment	$ 3,000
		Category 600 - Other	$ 34,150
TOTAL GRANT REQUEST	$181,425.00	TOTAL	$181,425.00

Form 06-2060L

REQUIRED MATCH

THIRD PARTY LETTER OF AGREEMENT

BETWEEN: 907-474-0753
Contributing Organization/Individual (Third Party) __________
(Name, Address, Phone)
Catholic Bishop of Northern Alaska, 1316 Peger Road, Fairbanks, Alaska 99701

and

Grantee Agency Pneuma Corporation

Program Title Pneuma Family Life Programs Including FY90 Grant Proposals for:

Alcoholism and Co-Dependency Family Treatment Program; Prevention Program; Training Program; and Village Treatment Program.

Type of Donation: Facility Use -
Description:

The Catholic Bishop of Northern Alaska, (CBNA), an Alaskan nonprofit corporation sole, is the owner of real property consisting of approximately 173.71 acres, together with all improvements located thereon known as St. Mary's Mission located at St. Mary's, Alaska. In support of Pneuma's Family Life program of education prevention and treatment for alcohol abuse, alcoholism, other drug addiction, and co-dependency, CBNA agrees to donate this property and facility to Pneuma from July 1, 1989 through June 30, 1990 (FY90) if operating funding is made available from the State of Alaska. An appropriate lease, on terms to be negotiated, shall be executed after state funding assurances are completed.

Value: (Detailed Computation)

The appropriate rent for this property is $300,000.00 per year. Such amount shall be spread throughout Pneuma's programs to assure a minimum of 10% in-kind match for each separately funded program or project. The $300,000 calculated to a rental fee of approximately $0.35/sf/month for the over 69,000 sf of buildings donated to Pneuma.

1007/7
I hereby certify that the items or services listed above are the agreed upon contribution to the above named program.

4/10/89
Date

Authorized Representative
Contributing Individual

16. CERTIFICATION OF MATCHING REQUIREMENTS

Pneuma Corporation Family Life Programs		FY90
Pneuma Corporation		7/1/89 - 6/30/90
Robert K. Betz	Financial Officer, [illegible]	
$300,000.00	$300,000.00	10%

In-kind contribution from Catholic Bishop of Northern Alaska for facility rent/use at St. Mary's, Alaska............$300,000.00

The in-kind contribution will be allocated between each grant proposal accep to achieve a minimum of 10% matching funds requirement for each program.

[illegible]

Appendix A
ASSURANCES

Applicants must indicate their intention to comply with all terms and conditions of this RFP, the terms and conditions of any grant awarded by the Department and with 7 AAC 78, the Department's grant program regulations. These conditions include, but are not limited to:

(1) The provision of Worker's Compensation Insurance.
The provision of liability insurance if automobiles are used for the purpose of this grant program.
The provision of comprehensive general liability insurance.

(2) Compliance with the requirements of the Civil Rights Act of 1964, as amended.

(3) Compliance with Federal and State laws and regulations preventing discriminatory employment practices.

(4) Compliance with Federal and State requirements for safeguarding information. Any information about Department clients that is obtained or developed under grant funds is confidential and cannot be released without the written approval of the Department.

(5) Consent to suit:
Native Council applicants to state grant programs are required to consent to be sued by the State of Alaska upon any claims arising out of the Councils activities under that grant program. Consent to suit will be a special condition of grant award to Native Councils.

(6) Providing State officials access to financial and program records pertaining to the grant and project.

(7) Maintenance of financial and program records for audit.

(8) Ensuring that grant funds will not be used for lobbying

(9) Submission of quarterly fiscal reports, quarterly program narrative reports, monthly program updates, a final project report, and other grant program reports.

(10) As per number 3, above, religious belief or affiliation cannot be either a requirement for service or a factor in the denial of service under these grants.

(11) Compliance with criminal screening requirements as set forth in AS 12.62.035... (Both paid and volunteer employees having supervisory or disciplinary power over children will undergo criminal screening.)

(12) Compliance with single audit regulations 2 AAC 45.

Authorized Signature

I JAMES A. SEBESTA, the chief executive officer, president, or chief of PNEUMA CORPORATION hereby assure the Department of Health and Social Services that, should my organization receive funding for the ________________ grant program, it will comply with the assurances listed on this page. [Date] 4/13/89 [Signature] James A. Sebesta

[Title] PRESIDENT

Appendix C

PREVENTION PROGRAM

Acknowledgement of Receipt

Applicant Organization: PNEUMA CORPORATION

Date Application was Mailed APRIL 13, 1989 - EXPRESS

Signature of Applicant's Representative ______________________

(Applicant please fill in top)

____

(DHSS agency)

Your application was received ______________________. After the required evaluation period you will receive another letter notifying you of the granting agency's acceptance or denial of your request.

Thank you for applying to provide services through a Department of Health and Social Services grant.

____

agency signature / office

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2534

April 12, 1989

Mr. Ray Jensen, Administrative Officer
State Office of Alcoholism and Drug Abuse
P. O. Box H-05F
Juneau, Alaska, 99811-0607

Re: FY 90 Grant Application
Village Treatment Project

Dear Mr. Jensen,

Enclosed are six copies of our application for a unique family and community treatment program for alcohol abuse, alcoholism, and co-dependency. We have provided budget information for a three year program duration although we recognize FY90 funding will be limited to a single year.

The program provides direct intervention and family-oriented treatment for alcohol abuse/alcoholism/co-dependency. It provides primary, secondary, and tertiary prevention for entire Eskimo villages that will have a positive and lasting impact on the people.

We believe that anything less than such a comprehensive program is doomed to failure as the problem of alcohol abuse, addiction, and co-dependency has advanced so far that lesser programs will not have the needed family and community impact to make a permanent and positive change in the remote communities targeted.

The program is cost effective. As the people complete this program and become healthy and productive members of society there will be a significant reduction in the extremely high social and health care costs now experienced.

I hope you can share our enthusiasm for this professionally challenging program. We will be happy to supply any additional information you may require so this program can be implemented.

Very Truly Yours,

PNEUMA CORPORATION

Robt K. Betz

Robert K. Betz, Vice President

ADMINISTRATION - 2010 N. KOBUK FAIRBANKS AK. 99709 PHONE 907-479-6646
FINANCE - 801 BARNETTE ST. FAIRBANKS AK. 99[illegible] PHONE 907-452-2373

DEPARTMENT OF HEALTH & SOCIAL SERVICES

GRANT APPLICATION

1 State Granting Agency
State Office of Alcoholism and Drug Abuse (SOADA)

2 Applicant Organization Name
Pneuma Corporation

3 Business Address
Finance Office 801 Bernette Street, Fairbanks, Alaska 99701

4 Mailing Address
2890 North Kobuk Street, Fairbanks, Alaska 99709

5 Phone
907-479-6848

6 Program or Project Name
Pneuma Family Life Program - VILLAGE TREATMENT COMPONENT

7 Project Location
St. Mary's Mission, St. Mary's, Alaska 99658

8 Mailing Address
P. O. Box 172, St. Mary's, Alaska 99658

9 Phone
907-438-2534

10 Type of Program
VILLAGE TREATMENT PROGRAM

11 Proposed Budget Years
FY 90 and FY

12 Budget Period
Beginning July 1, 1989 Ending June 30, 1990

13 Type of Application
☒ New ☐ Continuation

14 Type of Organization
☒ Private/Non-profit ☐ Government

15 Date of Incorporation (Non-profit only)
March 1988

CONTACT INDIVIDUALS

16 Authorizing Person
James A. Sebesta, President

Phone
907-479-6846

Mailing Address
2890 North Kobuk Street Fairbanks, Alaska 99709

17 Financial Management
Robert K. Betz, Vice President

Phone
907-452-2372

Mailing Address
801 Bernette Street Fairbanks, Alaska 99701

18 Project Director
Ardi Bury, Executive Director

Mailing Address
P.O. Box 172 St. Mary's Alaska 99658

19 Amount of State Funds Requested
FY $
FY 90 $ $797,855
First Year Budget

20 List all other State Health & Social Services or Federal Health & Human Svcs. grants received or applied for by applicant during proposed budget years

TYPE	STATE/FEDERAL	AMOUNT	PERIOD
Alcoholism & Co-Dependency Treatment	(Applied to SOADA)	$916,400	FY 90
Prevention Program	(Applied to SOADA)	$181,425	FY 90
Training Program	(Applied to SOADA)	$136,600	

21 Service Component Locations

Service Component Locations	Business Address	Mailing Address	Phone
All Services headquartered at St. Mary's Mission		P.O. Box 172 St. Mary's Alaska 99658	907-438-2534

TERMS AND CONDITIONS. The undersigned grant applicant agrees to abide by the grant regulations and policies as described by law and delineated in 7AAC 78 and the Grant Application Package.

Authorized Signature
James A. Sebesta

Date
April 12, 1989

FOR STATE USE ONLY

Date Appl. Received-Central Office	Application Revision No	Approved
Date Reviewed by Council	Date	Not Approved
Date Award Decision Made	Matched Project No.	Amount Awarded
Date Notification Sent	Amended	Local Required Match
Grant Ledger Card	Item Submitted	State Match

PNEUMA CORPORATION
P.O. BOX 172
ST. MARY'S, ALASKA 99658
907-438-2634

Program Location
P.O. Box 172
St. Mary's Alaska, 99658

FUNDING REQUEST and PROGRAM DETAILS

for
Pneuma Corporation Village Treatment Program

April 1989
FY 90 SOADA GRANT PROPOSAL

Pneuma seeks a $797,855 FY90 grant for a Village Treatment Project which will transport entire villages to St. Mary's for an intensive Family Life and Alcoholism / Co-dependency treatment program.

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- Provided to SOADA under consolidation procedures

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Acknowledgement of Receipt....................End

Finance Contact Person: Robert K. Betz, Fairbanks Finance Office

PNEUMA CORPORATION

P.O. BOX 179
ST. MARY'S, ALASKA 99658
907-438-2304

VILLAGE TREATMENT PROJECT

FY90 SDADA PROPOSAL SUMMARY

Pneuma Corporation seeks a grant for an innovative treatment program as a solution to the number one health problem in Alaska. Many suffer a chronic, progressive, and fatal disease - Alcoholism. It is killing the people. Alcohol abuse/alcoholism/co-dependency affects 100% of the people. Addiction is a root cause of most rural personal tragedies, accidents, suicides, violence, abuse, neglect, sickness, and desperation. It demands a comprehensive prevention and treatment program.

Pneuma proposes an innovative, family-oriented, community-wide program of education, prevention, outreach, intervention, and treatment which addresses the physical, psychological, social, and spiritual aspects of alcohol problems and co-dependency. The program will transport entire villages to an intensive residential treatment program at Pneuma's facilities in St. Mary's.

Village treatment, focusing on each family unit, will seek to break the cycle of destructive, compulsive behavior while encouraging self-worth and personal development among all family members. Treatment for the alcoholic's addiction and the family's co-dependency will enable the family and community to be supportive of health community life and sobriety. It will change the community's attitude toward alcohol and other drug use.

Individualized, culturally sensitive, residential treatment for entire villages will be directed by professional counselors. Close ties to a counselor will be gradually shifted to self-help fellowships and the community. Individual and group counseling, lecture-discussions, role playing groups, and in-depth searching into self are the heart of the treatment process. A structured aftercare program will provide an on-going program to help maintain recovery, helping the community to achieve an improved quality of life, a freedom to control their own lives, and improved health among the people.

This project holds significant promise of success as entire villages will make a committment to community change and be given appropriate education and skills to make a lasting impact on the health of the community. It should yield an effective model that can be emulated in other Native communities. A budget is included showing how three year funding would provide sufficient time to demonstrate effectiveness.

Pneuma Corporation is a non-profit community organization providing direct services to the residents of Western Alaska. The program is headquartered in St. Mary's and serves villages in the lower Yukon-Kuskokwim River Delta area. The program will treat three Alaska Native villages the first year, five the second, and seven the third, with intensive services to 330, 550, and 770 people each year, respectively. (1,650 total people from an area population of 18,000).

In-kind and other contributions to the program leave \$797,855 for the first year, \$985,179 for the second year, and \$1,201,593 for the third year to be funded in this grant application.

Pneuma Corporation

SOADA PROPOSAL

ALCOHOLISM AND CO-DEPENDENCY TREATMENT
Village Treatment Grant Application

Pneuma Corporation seeks funding for a unique village treatment program addressing Alaska's number one public health problem - alcohol abuse, alcoholism, and co-dependency. The program supplements Pneuma's Family Life Program, the subject of a separate grant request. Full funding of Pneuma's Family Life Program will permit this program to achieve cost savings over costs outlined herein. A general view of the program is reviewed, followed by appendices to provide detailed background information.

STATEMENT OF NEED AND PROJECT DESCRIPTION

A. Nature of the problem for which support is sought.

1. PROGRAM CATEGORY - TREATMENT, PREVENTION - This project is a innovative community-sponsored project which will provide a family-oriented program of prevention, intervention, and treatment for entire Native Eskimo villages. Villagers will be transported to Pneuma's residential facility for an intensive Alcoholism and Co-dependency treatment program. Primary, secondary, and tertiary prevention services will be provided targeting alcohol abuse/alcoholism/co-dependency, with attendant collateral health benefits.

2. PROBLEM ADDRESSED - The targeted villages demonstrate severe dysfunction due to alcoholism and co-dependency. This project will break the destructive cycle of compulsive behavior exhibited, seeking immediate benefits by the prevention of abuse, violence, accidents, suicide and other forms of self-destructive behavior. The primary disease of alcoholism/addiction and its associated co-dependency are treated. Other diseases caused by such conditions are expected to decline in number and severity.

3. HOW MANY PEOPLE ARE AFFECTED - 100% of the Native Alaskans in the targeted villages are adversely affected. Pathological drinking by a family member leads to predictable, compulsive behavior, both in the individual family members and the interactions among them. Many consider abuse, violence, suicide and/or self-destructive behavior. The Native People have a strong tradition of family life, treating children as a vital component of that tradition. The dysfunction created by alcoholism tears at the very fabric of the Alaska Native society. Children younger than six demonstrate active alcoholic behavior.

The targeted villages have a total population of over 7,000 people, with fewer than 400 Whites, located in 25 different villages. The project excludes Bethel and St. Marys's since residential treatment is available in these two area cities. Most targeted villages have populations of about 150 people. Each village treatment effort is expected to treat up to 110 villagers in each treatment session. Targeted villages, unnamed due to confidentiality statutes, have been identified as having as many as 90% of the families having alcoholic members.

4. EXTENT OF THE PROBLEM - The problem is all-consuming and devastating. The problem is endemic, perhaps indicative of studies that note a genetic predisposition to alcoholism. Fetal Alcohol Syndrome (FAS) is a growing problem among the targeted villages. Family violence heads the list of social service interventions. It is not unusual for entire villages, including youngsters, to be involved in binge drinking that ends either when the supply of alcohol runs out or the State Troopers are called in to restore order. State health and social service agencies have intervened in particularly difficult situations by removing children from their parents and forcing parents into treatment.

A 1988 statement by Dr. John Middaugh, the State Epidemiologist characterized the present status of Alaska Natives as a "health crisis," and a "modern plague on our young." The Alaska Federation of Natives (AFN)'s President, Janie Leask stated "...it is no exaggeration to say that absent timely and dramatic action, the prognosis for positive change is poor.", referring to a new report detailing the overall status of Alaska Natives.

The Alaska State Troopers have reported that alcohol is involved in nearly all village violence, accidental deaths and suicides. In one targeted village over 20% of young native males aged 17-26 died in alcohol-related incidents. Throughout Alaska, 55% of all crime is estimated to be alcohol-related, and 17.5% of all felony cases are drug-related. Drinking and drugging are major factors in 14% of all child abuse cases throughout the state. Alaska's sexual abuse rate of 950 per 100,000 minor children is six times the national average. The Alaska per capita consumption rate for 1986 was 3.51 gallons of alcohol while the U.S. average was 2.53 gallons per person.

5. IMPORTANCE OF THE PROBLEM - Twenty-five years ago there was hope that the Alaska Native would become prominent in the mainstream of Alaska's economy. Today only a few have realized this promise, as many have to combat alcohol problems that consume their lives, and many die at an abnormally young age. Suicide, accidents, homicides and diseases claim too many Native Alaskans.

Alcohol abuse and co-dependency are problems that often lead to the final solution of suicide if help is not provided. Bright youngsters often commit suicide because they are the most sensitive. Accidental deaths during individual or village binge drinking exceed those by suicide, but both are far above national averages. Village isolation and denial systems helps the problem remain hidden.

School age children exhibit emotional distress, reflected in poor performance. This will preclude higher education opportunities for many. These children are unable to cope with the fragmented family situations, being unwitting victims of the family co-dependency. It becomes a vicious cycle, with the children becoming the losers.

6. LEVELS OF MORBIDITY AND MORTALITY - The following information is provided from Alaska State studies and statistical information:

A. Nearly all suicides and homicides in the area involve alcohol.

Comparative suicide rates per 100,000 (1983-4) for Alaska are:

GROUP IDENTIFICATION	ALL AGES	AGES 15-19	AGES 20-24	AGES 25-29
U.S. Total	12.1	8.7	16	16
Alaska Native Males	73.5	105	257	178
Alaska Native Females	13.9	25	78	19
White Alaskan Males	25.2	32	44	35
White Alaskan Females	6.4	8	11	8

B. Accidental deaths among Alaska Natives most often involves alcohol. Local sources place the number of such deaths as over four times that from natural causes.

C. Fetal Alcohol Syndrome (FAS), birth defects due to alcohol use during pregnancy costs the State of Alaska $85,000 per patient per year for institutionalization. The FAS prevalence per 1000 live births are:

1. Alaska	4.1 - 5.0	3. France	1.5
2. Navajo Reservation	2.0 - 2.2	4. Sweden	1.4
5. U.S.	1.7		

D. The Alaska State Troopers state that there is no serious crime ih rural Alaska without alcohol. Alaska Natives account for 34% of the prison population of Alaska although they are only 16% of the population.

E. The Anchorage Daily News article "A People in Peril" provides poignant stories of village conditions. Targeted villages have all demonstrated all-inclusive binge drinking and serious health problems due to alcoholism.

B. Description of the program methods.

1. **PROGRAM METHODOLOGY AND APPROACH** - Pneuma will provide intervention and treatment, attacking the symptomatic causes of dysfunction. Entire villages will be transported to St. Mary's for treatment for alcoholism, the addiction to other drugs, and co-dependency. The Children of Alcoholics and Adult Children of Alcoholic syndrome and Fetal Alcohol Syndrome will be addressed. Program treatment details are more specific in Pneuma's Family Life Program, but are summarized below:

EDUCATION AND PREVENTION includes those activities that are designed to prevent dependency on alcohol and other drugs.

OUTREACH AND INTERVENTION activity works to reverse the early stages of dysfunctional drinking. A carefully executed village intervention effort will be aided by volunteers, the schools, troopers, family services, and other agencies.

FAMILY TREATMENT will be emphasized. The family of the alcoholic requires specialized co-dependency treatment. Without education about the addiction process, and treatment for co-dependency, the entire family will continue to exhibit distressing symptoms that lead to personal and familial disintegration. Group and individual counseling form the heart of the family treatment process designed to nurture each family member to wholeness, encouraging personal growth and self-worth.

CONTINUING CARE OR AFTERCARE follows treatment as an aid to the process of recovery. The village aftercare component will include counselor visitations leading to an on-going, self-directed village aftercare program after six months.
The appendix provides a more detailed explanation of these components.

2. **PROGRAM STAFFING** - A specialized staff will be retained for this project, headed by a Pneuma Rural Program Director. Professional, culturally-sensitive counselors will provide group and individual counseling and therapy sessions assisted by a support staff. The project can be expected to attract extremely qualified and culturally sensitive counselors due to its unique and professionally challenging characteristics. Stable and well-adjusted native couples will be involved as role models and aides.

With a maximum counselor/patient ratio of 1:12, ten primary counselors are required since up to 110 villagers are expected to be treated at one time. Five program aides are required; four will provide round-the-clock patient monitoring duties in the two residential patient buildings, and the fifth will assist in the treatment program. The program will serve three villages the first year, five the second, and seven thereafter. The budget provides additional details regarding the project personnel.

3. AVAILABLE RESOURCES - The people want this project and have confidence in Pneuma's professionally directed program. The people are available to carry out this project - as targeted villages involved in treatment; as support personnel who will provide village security during treatment; as village network personnel to assist in aftercare; as school districts who will support the transfer of schooling during treatment; as churches, village councils, local industries, and law enforcement systems.

The 69,000 sf physical facilities of the old St. Mary's boarding school will be utilized. The facilities and equipment, provided as an in-kind donation by the owner. Two dormitory buildings will be used to house up to 110 villagers during residential treatment. Food service, classrooms and other programs will be housed in the main building. The worker's dorm will house professional staff.

State and federal agencies have support resources available that will be used as required. The Department of Education will assist with the school transfer during treatment. Health and Social Services will assist in the intervention and aftercare. The State Troopers and justice system will assist in the village intervention. Other individuals throughout the State have also volunteered assistance. Yukon-Kuskokwim Health Corporation's services will be utilized as appropriate.

4. OTHER REQUIRED RESOURCES - Money is the most needed resource. The major project expense will be for qualified personnel. Specialized talents will be required for child, adolescent, and adult treatments. Money is needed to pay for personnel, support expenses, and transportation costs as detailed in the budget narrative. If one organization cannot fully fund this program, Pneuma will seek shared participation for this vital project. Without proper funding, this program cannot be implemented.

5. PROJECT TIMELINES AND LOCATION - The project will begin at St. Mary's in August 1989. The first village residential treatment is expected in October 1989, a time of freeze-up, when activities are at a lull in the targeted villages. In the first year, two additional village projects will be completed before summer. If the program were funded for additional years, in the second year three would be planned for fall, and two for spring. In the third year, seven villages will be treated in succession.

This phased approach will ensure time for staff training and program evaluation. A six to eight week residential program will be followed by intensive aftercare work for a minimum of six months. Three counselors are expected to return to the village with the patients after treatment for one week, followed by a weekend trip every two weeks for three months, followed by a weekend trip every month for three months.

6. PNEUMA'S RELATIONSHIP WITH THE COMMUNITIES - Pneuma has an excellent relationship with, and demonstrated support from the Alaska Native community. Pneuma is a community organization, with the majority of the Board of Directors being Alaska Natives, and a 100% Alaska Native Director's Advisory Board that is responsible for program activities. Pneuma is the final result of an evaluation process begun in the late 1970's which involved meetings with the native people throughout Western Alaska. They requested that the devastating problem of alcoholism be seriously approached with an effective, comprehensive, and professionally directed program.

Thus, Pneuma's relationship to the native people is one of creative assistance to insure the best help possible for a problem identified by them as one that needs priority attention and one they are unable to deal with themselves appropriately.

7. ACCESS TO THE TARGETED PEOPLE - Sponsors, associates, advisory boards, and administrative personnel, and a network of volunteer village representatives provide input and assistance. Most groups and all churches will assist. Other access come from referrals from the schools, the court system, other State agencies, the native councils, and the direct requests for help from village people themselves.

8. WHY THIS PROGRAM WILL WORK - Past efforts to solve the alcohol problems in rural Alaska have failed, in part, because they have not addressed all facets of the problem, or have done so on a fragmented basis, or have lacked professional guidance, or lacked sufficient physical facilities to carry out a comprehensive program. None have attempted a family-oriented, community approach that includes residential treatment. None have had Pneuma's wide volunteer support system. Pneuma's program will work because it draws on past experiences and has the support of the people served, building on their rich cultural heritage.

9. SUCCESS EVALUATION - The project should yield a measurable reduction in abuse, violence, accidents, homicides, and suicides. It should yield a measurable improvement in school performance, employment, and participation in community affairs. Evaluation will also monitor improved family situations and cohesiveness, community concern and improved adult/youth interaction.

The "Handbook for Evaluating Drug and Alcohol Prevention Programs" published by the U.S. DHHS, Public Health Service, will be used as an evaluation guide. A debriefing evaluation will be performed after each village residential project.

Initial evaluations will be done after the first treated village returns home, expected in early December 1989. Follow-up evaluations will be regularly accomplished. Social service agencies will report on progress they observe.

The native people themselves have asked for this program, and are integral elements of its operation. The chances of success are increased with dedicated professionals working in a culturally suitable, innovative program among the people who have asked for this help and recognize the need for it.

11. HAS THIS PROJECT BEEN ATTEMPTED BEFORE? - No! No one has attempted intensive residential treatment of an entire village. The location change effectively breaks the cycle of current village behavior. No Alaskan programs have had the combination of available facilities, family orientation, vision and support from the people as does this project.

C. Assessment of potential problem areas affecting management and implementation of the project, and how such problems or barriers might be overcome.

A project of this scope will undoubtedly encounter difficulties and barriers to success. Treatment of 110 people at a time is difficult, and all the village's problems will be transported to treatment with the people. Pneuma's organization uses a statewide Board of Directors, local operational advisory boards, and groups of other concerned individuals who will provide expertize to overcome obstacles as presented. The broad contacts available to Pneuma provide resources that should be able to appropriately address problems as they develop.

The professional challenges of this program can be expected to attract the required staff and volunteer supporters. The major barrier will be sufficient funding. The high cost of operations in Alaska discourages many supporters, so there is a need for a long term commitment for reliable funding for the program to succeed. If this obstacle is overcome by the award of this grant request, other difficulties or barriers will be easily surmounted with our diversified resources.

APPENDIX

Pneuma General Statement of Purpose

1. Pneuma has been formed to assist the people in their efforts to combat alcohol abuse/alcoholism/co-dependency. Pneuma will provide a family-oriented, professional, culturally sensitive, and comprehensive program of education, prevention, and treatment for entire villages, addressing the physical, psychological, social and spiritual conditions of each individual. This program supplements other Pneuma prevention and treatment programs.

General Program Features

1. EDUCATION - Provide education programs that expose opinions as opinions, building prevention and treatment efforts on a factual rather than opinionated foundation. Education and training efforts will respond to the need for an understanding of 1) the Agent - alcohol and other drugs; 2) the Host - those most susceptible to substance abuse and dependency; and 3) the Environment - those conditions conducive to interaction of the host with the agent.

2. PREVENTION - Provide those activities designed to prevent dependency on alcohol and other drugs. Primary prevention will forestall the unhealthy use of alcohol or other drugs. Secondary prevention will interrupt unhealthy use of such substances. Tertiary prevention will provide treatment and rehabilitation.

3. OUTREACH AND INTERVENTION works within the community to identify persons in need of services, alerts people to the availability of services, locates such services, and enables people to enter such programs and accept the services available, seeking to reverse the early stages of dysfunctional drinking and prevent substance abuse.

4. NON-MEDICAL DETOXIFICATION safely sees the patient through the first few days of residential treatment. Patients at risk or in need of medical detoxification will be referred to an appropriate medical facility.

5. RESIDENTIAL FAMILY TREATMENT. Recovery in a residential setting allows appropriate and intensive professional treatment and prepares the alcoholic for abstinence while breaking the existing cycle of dysfunctional behavior. Residential care permits intense concentration on the six main dimensions of family functioning: problem solving, communication, roles, affective responses, affective involvement, and behavioral controls. treatment of the addict within their family is the treatment of choice because more positive outcomes can be expected. It is often futile to rehabilitate an alcoholic who will return to a family environment that is unchanged. Family treatment provides a helpful atmosphere to promote healing through the growth of individual family members and the strengthening of the family unit. The success rate for recovering alcoholics is increased 30 to 50% when a family program is included with the alcoholic's treatment.

Family treatment will address each family's degree of conflict, discord and any lack of a healthy, sustaining, stabilizing family milieu, or the degree and type of family emotional deprivation, lack, loss, and pain. Family treatment will be a structured program of individual and group therapy that provides education, fosters spiritual awareness, promotes good health, offers an active social program, and improves the life situations by promoting love, consistency and predictability.

The treatment center is to be an island of calm in what has been a turbulent life, and is to direct the attention of the patient inward, to an honest reflection on their disease or co-dependency. The treatment process provides progress on internal motivation, self-esteem, skills, and external support necessary for sober and responsible living. A key theme is integration and harmony with oneself and with the world in which one is required to exist without alcohol or other drugs.

6. AFTERCARE continues the treatment process with a program to maintain addiction-free living. It recognizes that recovering alcoholics remain susceptible to relapse, provides counseling and therapy, and encourages self-help fellowships such as Alcoholics Anonymous (AA), Alanon, and Alateen. The aftercare program will use as a guide the program outlined in "Addict Aftercare: Recovery Training and Self-help" published by the USDHHS, Public Health Service.

GENERAL BACKGROUND INFORMATION

1. Alcohol and other drug problems are the number one public health problem among the Native People of Alaska. Addiction to the drug alcohol causes abnormally high levels of personal tragedy, violence, family abuse, neglect and desperation. Alcoholism is a chronic, progressive, and fatal disease. It is chronic, meaning that once developed, it remains with the patient throughout their lifetime. It is progressive, meaning that it begins with early symptoms and progresses to a wide variety of secondary pathological changes and medical complications. It is fatal, meaning that untreated alcoholism results in death. Alcoholism is treatable and can be entirely arrested through abstinence.

2. Family members living with an alcoholic cannot escape or ignore the alcoholic's behavior, generating a predictable and compulsive co-dependency syndrome. Children of alcoholics, without treatment, often are unable to lead lives free from guilt, deep insecurity, lack of self-esteem, and intense sadness. Native Alaskan families suffer particularly due to their strong tradition of extended families.

3. There is no healthy way to adapt to alcoholism. Alcohol, when ingested, has specific and predictable physiological effects on the body. With continued drinking, cumulative changes take place in the body and the alcoholic loses control over their drinking and progressive deterioration occurs. As alcoholism progresses, uncontrolled drinking escalates and the alcoholic drinks to avoid unpleasant withdrawal symptoms. Repeated intoxication, decreased work efficiency, blackouts, failing health, and withdrawal symptoms lead to an inconsistent family life.

4. The family with an alcoholic member is an unstable one. High rates of martial strife, violence, abuse, and neglect are common characteristics. The alcoholic faces a higher risk of sudden, violent death from suicide, homicide, or accident, a lowered life expectancy; and an increased risk of other disease caused by medical complications from the disease of alcoholism.

5. Families with an alcoholic member repress emotions as a coping mechanism. Alcoholics themselves exhibit very low self-worth. As a result, they are incapable of maintaining a healthy family relationship or encouraging children to develop their self-worth.

6. The children in an alcoholic family most often live in an atmosphere of conflict, tension, and uncertainty. Their needs for warmth, security, and even physical care may be inadequately met. These children also lack good models to form their own identity. They develop coping mechanisms identified by such terms as the enabler, the hero, the scapegoat, the lost child, or the mascot.

7. With early intervention and treatment, the prognosis for recovery is increased - for both the alcoholic and the family. The longer the disease of alcoholism goes untreated, and the co-dependency syndrome is allowed to flourish, the poorer the prognosis. Effective family treatment has the following characteristics:

...It exposes the alcoholic family system for what it is. The family is educated about the addiction process and about dependency as a family disease. It breaks through each individual's wall of denial, delusion, and compulsive behavior so the individual can see and admit the part they play in perpetuating the disease.

...It helps the family make its system more open and flexible, a system where each is free to be themselves and where the individuals communicate with honesty, clarity, and mutual caring.

...It nurtures each family member to wholeness. It heals the psychological wounds caused by the disease of alcoholism and encourages each member to personal growth, increasingly enhancing their sense of self-worth and all aspects of daily living.

...It provides professional treatment for the addict member of the family.

GENERAL COMMUNITY PROFILES

1. The targeted villages are located in the Yukon-Kuskokwim River delta area of western Alaska, and share the common heritage and customs of the Yupik Eskimo. All targeted village communities have approximately 95% native peoples and 5% white peoples. The native people suffer high unemployment but are active with subsistence activities and work in the short commercial fishing season. There are also some service jobs for the school, airport, stores, and sometimes for the city and state.

2. While more jobs are needed, most must solve their alcohol problem before they can be productive and dependable workers. Without a solution, the people will continue dependence on welfare, food stamps, the permanent fund, and other social service assistance in a never-ending circle.

3. Social and health services are available in each community from a variety of state or federal programs. One could say the social and health needs of the communities are being met, but there is an underlying, pervasive, and totally destructive problem with alcohol and other drugs in each targeted village. The communities suffer terribly from the effects of alcohol and other drug problems. There is an alarmingly high number of violent deaths due to family violence, accidents, or suicide in the area.

4. Community weakness can be summed up in two words - alcohol problems. Each village has strengths, however. There is generally a core of fairly well educated people in each community and often there are strong, intelligent, and concerned leaders. Often there is a community Alcohol Task Force, and most communities have officially banned the importation and sale of alcoholic beverages. School administrators have demonstrated a concern for healthy community life. Most villages have an active native council.

5. Pneuma's program enhances these strengths, providing a network of concerned and informed individuals and families that can positively influence the entire community's attitude toward alcohol.

PROPOSED PERFORMANCE SUMMARY AND COSTS

Service Components	-1- Amount Requested From SOADA	-2- All Other Project Resources	-3- TOTAL PROJECT COST	-4- Proposed Number Of Beds	-5- Proposed # Persons Served
*Prevention (C & E)					
Emergency Care a) b) c)					
Inpatient Care	$797,855.00	$264,000.00	$1,061,855.00	110	330
Intermediate Care a) b) c)					
Outpatient Care a) b) c)					
Aftercare					
Outreach					
TOTALS	$797,855.00	$264,000.00	$1,061,855.00		

Footnotes:
1) Prorate administrative costs, including indirect costs, in figuring service component costs. Column 1, SOADA Request, total should be the same as the requested amount on the face sheet of this grant application.
2) If you propose more than one program within a component, these may be shown separately.
3) Column 2, all other project resources, means other state, local, or federal funds, including inkind, project income, donations, etc., that are a part of this project's total cost. Do not include other SOADA grants such as Inmate Counseling or ASAP in Column 2.

*C & E = Consultation and Education

Pneuma Corporation
Village Treatment Program

2. Source of Funds: Revenue Detail

FUND CATEGORY	DESCRIPTION	TOTAL
Project Income (Funds generated by this project)	Third Party Payments: List each source and amount (Vetrans Administration, Insurance Companies, Other)	
	none	-0-
	SUB-TOTAL	
	Client Payments: List per service component and amt.	
	none	-0-
	SUB-TOTAL	
	Other: List per source and amount Contracts:	
	none	-0-
	Local Donations	
	In-Kind Contributions none	
	SUB-TOTAL	-0-
	TOTAL PROJECT INCOME	-0-
Local Contribution (Contributions by your Local Government)	Cash: Identify source and amount	
	none	-0-
	State Revenue Sharing none	
	Other:	-0-
	none	
	CASH SUB-TOTAL	-0-
	In-Kind: List each source and amount	
	Owner facility use and lease	$200,000.00
	Federal food stamps assistance anticipated	60,000.00
	Donated legal fees	4,000.00
	IN-KIND SUB-TOTAL	
	TOTAL LOCAL CONTRIBUTIONS	$264,000.00
Federal Contributions	Grants (OSAP, Action, Etc.) Indian Health Service BIA none	-0-
(List Sources)	Other none	
	TOTAL FEDERAL CONTRIBUTIONS	-0-
Other State Contributions	Grants none	-0-
(List Sources)	Other none	
	TOTAL OTHER STATE CONTRIBUTIONS	-0-
State Grant Funds-This Req.	SOADA Grant Request - Village Treatment Program	$797,855.00
Total Project		$1,061,855.00

Pneuma Corporation
Village Treatment Grant Application

SOADA Proposal

Budget Cover Worksheet

Applicant Institution: Pneuma Corporation
2890 North Kobuk Street
Fairbanks, Alaska 99709

Proposed Grant Period: 8 / 1 / 89 through 6 / 30 / 92

Amount Requested:

First fiscal year	$ 797,855	-	330 people treated
Second fiscal year	$ 985,179	-	550 people treated
Third fiscal year	$1,201,593	-	770 people treated
Total Requested	$2,984,627		

Note: There will be some savings in the amount requested if Pneuma's Family Life Program, a subject of a separate grant, is fully funded.

Financial Contact Person: Robert K. Betz, Vice President, Director
801 Barnette Street
Fairbanks, Alaska 99701

Telephone: (907) 452-2372

Pneuma Corporation
Village Treatment Grant Application

SOADA Proposal

Budget Summary Form

PROGRAM BUDGET SUMMARY - First Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$527,085	-0-	-0-	$527,085
Category 200 - Travel	$ 91,270	-0-	-0-	$ 91,270
Category 300 - Facility	$ 71,700	$200,000	-0-	$271,700
Category 400 - Supplies	$ 77,900	-0-	$60,000	$137,900
Category 500 - Equipment	$ 6,400	-0-	-0-	$ 6,400
Category 600 - Miscellaneous	$ 23,500	-0	$ 4,000	$ 27,500
VILLAGE TREATMENT PROJECT TOTALS	$797,855	$200,000	$64,000	$1,061,855

PROGRAM BUDGET SUMMARY - Second Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$603,359	-0-	-0-	$603,359
Category 200 - Travel	$133,520	-0-	-0-	$133,520
Category 300 - Facility	$ 90,700	$200,000	-0-	$290,700
Category 400 - Supplies	$126,500	-0-	$100,000	$226,500
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 27,000	-0	$ 4,000	$ 31,000
VILLAGE TREATMENT PROJECT TOTALS	$985,179	$200,000	104,000	$1,289,179

PROGRAM BUDGET SUMMARY - Third Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$706,973	-0-	-0-	$706,973
Category 200 - Travel	$175,220	-0-	-0-	$175,220
Category 300 - Facility	$109,700	$200,000	-0-	$309,700
Category 400 - Supplies	$175,100	-0-	$140,000	$325,100
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 30,500	-0	$ 4,000	$ 35,500
VILLAGE TREATMENT PROJECT TOTALS	$1,201,593	$200,000	144,000	$1,545,593

TOTAL PROJECT BUDGET SUMMARY (Three Years)

Item of cost	Grant	In-Kind	Other	Total
THREE YEAR PROJECT BUDGET TOTALS	$2,984,627	$600,000	$312,000	$3,896,627

Pneuma Corporation
Village Treatment Grant Application

SOADA Proposal

PROJECT SUMMARY

Pneuma Corporation, as a community non-profit organization, proposes an innovative, family-oriented program that will provide intensive residential treatment for entire Native Alaskan villages at Pneuma's facilities in St. Mary's. Treatment will seek to improve the health of the people and break the cycle of destructive compulsive behavior while encouraging self-worth and personal development. Culturally sensitive group and individual counseling will be professionally directed in a structured program that includes follow-up aftercare.

FIRST YEAR BUDGET NARRATIVE

The Village Treatment Program budget has fixed and variable cost components for the first two years. A three year program is anticipated, with the third year budget eliminating variable costs as it becomes a full-time program. As the number of village projects increases from three to five and then seven, the costs change, reflecting additional costs for the additional services provided.

In the first year, 66% of the grant request funds are for personnel required to operate the program effectively. Nearly 25% of the total project costs are provided by in-kind or other donations.

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY
First Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$527,085	-0-	-0-	$527,085
Category 200 - Travel	$ 91,270	-0-	-0-	$ 91,270
Category 300 - Facility	$ 71,700	$200,000	-0-	$271,700
Category 400 - Supplies	$ 77,900	-0-	$60,000	$137,900
Category 500 - Equipment	$ 6,400	-0-	-0-	$ 6,400
Category 600 - Miscellaneous	$ 23,500	-0	$ 4,000	$ 27,500
VILLAGE TREATMENT PROJECT TOTALS	$797,855	$200,000	$64,000	$1,061,855

COST CATEGORY BUDGET NARRATIVE

Fixed costs - Year-round Personnel - CATEGORY 100

Breakdown of FTE (Full Time Equivalent) to this program:

1. EXECUTIVE DIRECTOR - 0.20 FTE

The executive director responds to Pneuma's Board of Directors and is directly responsible for overall management, operation, and administration of all program activities, including staff professional direction.

Position Cost per FTE =	Total	Grant	In-Kind	Other	Total
$53,000 (FTE) x .20 =	$10,600	$10,600	-0-	-0-	$10,600

2. RURAL PROGRAM DIRECTOR - 1.0 FTE

This position is responsible to the executive director for all phases of the Village Treatment Program (VTP), including staff hiring. This position requires a close working relationship with the targeted villages and the Pneuma network of area supporters.

Position Cost per FTE =	Total	Grant	In-Kind	Other	Total
$45,000 (FTE) x 1.0 =	$45,000	$45,000	-0-	-0-	$45,000

3. ADMINISTRATIVE ASSISTANT - 0.2 FTE

This position provides administrative and personnel management support for VTP services, providing all required reports and accounting data, while reporting to the rural program director and the executive director.

Position Cost per FTE =	Total	Grant	In-Kind	Other	Total
$45,500.00 x 0.2 =	$ 9,100	$ 9,100	-0-	-0-	$ 9,100

4. SECRETARY / AIDE - 1.0 FTE

This position provides reception for all visitors and clerical support for the VTP staff, reporting to the administrative assistant. It also provides non-treatment support for the VTP activities under the direct supervision of the counseling staff.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$20,000.00 x 1.0 =	$20,000	$20,000	-0-	-0-	$20,000

5. CERTIFIED CCDC I COUNSELORS - 4.0 FTE

These positions include nationally certified CCDC 1 counselors, some with special training and expertise. The success of treatment will depend on the quality and dedication of the counseling staff which is under the direction of the rural program director. Their duties will include remote village travel as well as VTP counseling efforts during residential treatment. One counselor should not have more than 12 counseling patients, so to serve the 110 villagers in each project, ten counselors or counselor trainees are required. The permanent staff will provide prevention, intervention and aftercare services in addition to their residential counseling duties when a village project is in residence.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$35,000.00 x 4.0 =	$140,000	$140,000	-0-	-0-	$140,000

6. COUNSELOR TRAINEES - 3.0 FTE

This position is for counselors lacking CCDC I certification and will be responsible to certified counselors. They are expected to upgrade their status to CCDC I and directly assist the VTP counseling program.

Position cost per FTE		= Total	Grant	In-Kind	Other	Total
$24,000.00	x 3.0	=$ 72,000	$72,000	-0-	-0-	$72,000

7. PROGRAM AIDES - 1.0 FTE

This position provides general program support, performing monitoring and other duties as assigned by the counseling staff.

Position cost per FTE		= Total	Grant	In-Kind	Other	Total
$16,000.00	x 1.0	=$ 16,000	$16,000	-0-	-0-	$16,000.00

8. BOOKKEEPER / ACCOUNTANT - 0.5 FTE

This position provides project financial management, payroll accounting, and other associated functions.

Position cost per FTE		= Total	Grant	In-Kind	Other	Total
$22,000.00	x 0.5	=$ 11,000	$11,000	-0-	-0-	$11,000.00

Fixed Costs Personnel total cost each year = $ 323,700
20.5% payroll fringe costs = $ 66,359
TOTAL FIXED COST PERSONNEL = $ 390,059

Variable Cost Personnel - Variable costs vary with length of residential treatment,

based on an average duration of 7 1/2 weeks per village project, with three such programs the first year. The FTE means that number of people will be hired for only the project duration period.

1. CERTIFIED CCDC I COUNSELORS - 2.0 FTE

These positions are similar to year-round counselor positions, but are only required during the residential projects at St. Mary's.

Position costs $35,000/yr x 7.5 weeks/52 x 2 positions = $10,096/project
First year project - 3 villages = x 3
Total these positions this year = $30,288 - 1st year

2. COUNSELOR TRAINEES - 1.0 FTE

Similar to above.

Position costs $24,000/yr x 7.5 weeks/52 x 1 position = $3,461/project
First year project - 3 villages = x 3
Total these positions this year = $10,383 - 1st year

3. PROGRAM AIDES - 4.0 FTE

During the residential program, aides are required for general support functions and to monitor the two dormitory areas on a 24 hour basis.

Position costs $16,000/yr x 7.5 weeks/52 x 4 positions = $9,230/project
First year project - 3 villages = x 3
Total these positions this year = $27,690 - 1st year

4. VOLUNTEER COORDINATOR - 1.0 FTE

Considerable volunteer help is anticipated to be organized, scheduled and directed by this position. Volunteers will help with parenting skills, monitor recreation activities, assist at social functions, and a variety of other tasks.

Position costs $18,000/yr x 7.5 weeks/52 x 1 position = $2,596/project
First year project - 3 villages = x 3
Total these positions this year = $ 7,788 - 1st year

5. FOODSERVICE / MAINTENANCE / HOUSEKEEPING - 3.0 FTE

These positions are responsible to the administrative assistant. Foodservice is responsible for menu planning, food purchasing, preparation, serving, and cleanup. Housekeeping and maintenance are responsible for the facility.

Position costs $19,000/yr x 7.5 weeks/52 x 3 positions = $8,221/project
First year project - 3 villages = x 3
Total these positions this year = $24,663 - 1st year

6. VILLAGE SECURITY PERSONNEL - 2.0 FTE

These positions are for neighboring villagers who will move to the targeted village during their stay at St. Mary's. They will feed the dogs, keep heating systems operating, and provide general security for the villagers while gone.

Position costs $15,000/yr x 7.5 weeks/52 x 2 positions = $4,326/project
First year project - 3 villages = x 3
Total these positions this year = $12,978 - 1st year

Variable Costs - Personnel total cost first year = $ 113,790
20.5% payroll fringe costs = $ 23,326
TOTAL FIXED COST PERSONNEL = $ 137,116

TOTAL FIRST YEAR FIXED AND VARIABLE PERSONNEL COST SUMMARY
Fixed Costs Personnel total cost = $ 323,700
20.5% payroll fringe costs = $ 66,359
Variable Costs - Personnel total cost = $ 113,790
20.5% payroll fringe costs = $ 23,326
TOTAL FIRST YEAR COST - PERSONNEL = $ 527,085

FRINGE BENEFITS - 20.5%
7.5% Social security; 3% ESC; 7% medical benefits; 3% retirement program.

Summary of personnel costs:

Executive director	0.2 FTE	@	$53,000 each	=	$10,600
Rural Program Director	1.0 FTE	@	$45,000 each	=	$45,000
Administrative Assistant	0.2 FTE	@	$45,500 each	=	$ 9,100
Secretary/aide	1.0 FTE	@	$20,000 each	=	$20,000
Professional counselors	4.0 FTE	@	$35,000 each	=	140,000
Counselor trainees	3.0 FTE	@	$24,000 each	=	$72,000
Program Aides	1.0 FTE	@	$16,000 each	=	$16,000
Bookkeeper/Accountant	0.5 FTE	@	$22,000 each	=	$11,000
Full Time Personnel TOTALS	10.9 FTE				$323,700

Part time counselors	2.0 (22.5wks) @ $35,000	=	$ 30,288
Part time trainees	1.0 (22.5wks) @ $24,000	=	10,383
Part time aides	4.0 (22.5wks) @ $16,000	=	27,690
Part time coordinator	1.0 (22.5wks) @ $18,000	=	7,788
Part time food service	2.0 (22.5wks) @ $19,000	=	~~16,432~~
Part time maint/hskpg	1.0 (22.5wks) @ $19,000	=	8,231
Part time security	2.0 (22.5wks) @ $15,000	=	12,978
Part time Personnel TOTALS	13.0		$ 113,790

Fixed Costs Personnel total cost	=	$ 323,700
20.5% payroll fringe costs	=	$ 66,359
Variable Costs - Personnel total cost	=	$ 113,790
20.5% payroll fringe costs	=	$ 23,326
TOTAL FIRST YEAR COST - PERSONNEL	=	$ 527,085

TRAVEL - category 200 - First year budget totals.

Travel must be by airplane due to the lack of area roads. Coordination and follow-up services also necessitate considerable staff travel. See program narrative.

Two directors @ 8 trips per village project	@ $150 ea	=	$ 7,200
Director / agency intervention / village	@ 700 ea	=	2,100
Professional personnel employment travel	@ 750 ea	=	7,500
Project personnel employment travel	@ 550 ea	=	8,250
Village security personnel travel / village	@ 250 ea	=	750
Aftercare counselors 3/village x 10 times/vill	@ 125 ea	=	11,250
Foundation annual meeting travel 2 ea	@ 770 ea	=	1,540
Anchorage counselor training travel 2 x/yr	@ 330/yr	=	2,970
Villager travel to/from treatment 110/village	@ 125 ea	=	41,250
Local airport transport for 110 villagers	@ 12 ea	=	3,960
Local airport travel for staff travel 300 days	@ 15/day	=	4,500
TOTAL Travel costs			$ 91,270

	Grant	In-Kind	Other	Total
CATEGORY 200 EXPENSE TOTALS	$ 91,270	-0-	-0-	$ 91,270

FACILITY EXPENSE - category 300 - First year budget totals.

Facility costs include use of 69,000 sf of the St. Mary's Mission leased by the Pneuma Corporation from the Catholic Bishop of Alaska, provided as an in-kind donation, worth $300,000 annually, of which $200,000 is allocated to the VTP as an in-kind donation.

Site use charge/pp @ 100/project @ 45 nights	@ $ 2/day	=	$27,000
Utilities - heat, water, sewer, refuse, etc	@ $3,000/mo	=	$36,000
Telephone & long distance charges	@ $ 600/mo	=	$ 7,200
Repairs & Maintenance supplies/village project	@ $ 500 ea	=	$ 1,500
TOTAL Facility costs			$71,700

	Grant	In-Kind	Other	Total
CATEGORY 300 EXPENSE TOTALS	$ 71,700	$200,000	-0-	$ 271,700

SUPPLIES -category 400 - First year budget totals

Supply costs vary with the number of program participants. Materials include furnishing a 12 step AA book, reference, and file material. Federal food stamps or other food procurement assistance is anticipated so a credit is shown. Unit costs are based on a 100 person count although 110 are anticipated in each project.

Program books, literature, etc - 100/village @ $28 ea	= $ 8,400
Medical & first aid supplies/village project @ $ 500 ea	= $ 1,500
Food @ $8/pp x 100 villagers x 50 avg days @ 3/yr	= 120,000
Less government assistance	= (60,000)
Office support supplies - postage, etc. @ $5,000/yr	= $ 5,000
Household supplies - linens etc @ 100/ project @ $10/pp	= $ 3,000
TOTAL Supplies costs (net)	$77,900

	Grant	In-Kind	Other	Total
CATEGORY 400 EXPENSE TOTALS	$ 77,900	-0-	$60,000	$137,900

EQUIPMENT - cost category 500 - First year budget totals

Audio/visual rental and maintenance	= $ 1,500
Office equipment lease and repairs	= $ 2,400
Computer system purchase	= $ 2,500
TOTAL Equipment costs	$ 6,400

	Grant	In-Kind	Other	Total
CATEGORY 500 EXPENSE TOTALS	$ 6,400	-0-	-0-	$ 6,400

OTHER OPERATING EXPENSES - Category 600 - First year budget totals

Accounting and payroll services $400/mo x 12mo	= $ 4,800
Legal costs, reviews, opinions, etc.	= $ 5,000
Less donated legal services	=($ 4,000)
Insurance - professional liability	= $ 9,800
Insurance - general liability	= $ 3,800
Insurance - workmens compensation	= $ 4,100
TOTAL Other Operating Expenses (net)	= $23,500

	Grant	In-Kind	Other	Total
CATEGORY 600 EXPENSE TOTALS	$ 23,500	-0-	$ 4,000	$27,500

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY

First Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$527,085	-0-	-0-	$527,085
Category 200 - Travel	$ 91,270	-0-	-0-	$ 91,270
Category 300 - Facility	$ 71,700	$200,000	-0-	$271,700
Category 400 - Supplies	$ 77,900	-0-	$60,000	$137,900
Category 500 - Equipment	$ 6,400	-0-	-0-	$ 6,400
Category 600 - Miscellaneous	$ 23,500	-0	$ 4,000	$ 27,500
VILLAGE TREATMENT PROJECT TOTALS	$797,855	$200,000	$64,000	$1,061,855

Pneuma Corporation
Village Treatment Grant Application

SOADA Proposal

SECOND YEAR BUDGET NARRATIVE

As with the first year's budget, the Village Treatment Program has fixed and variable cost components. The number of village projects increases from three to five, the variable costs change, reflecting additional time and expenses.

In the second year, 61% of the grant request funds are for personnel, and 23.5% of the total project costs are provided by in-kind or other donations.

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY

Second Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$683,359	-0-	-0-	$683,359
Category 200 - Travel	$133,520	-0-	-0-	$133,520
Category 300 - Facility	$ 90,700	$200,000	-0-	$290,700
Category 400 - Supplies	$126,500	-0-	$100,000	$226,500
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 27,000	-0	$ 4,000	$ 31,000
VILLAGE TREATMENT PROJECT TOTALS	$985,179	$200,000	104,000	$1,289,179

COST CATEGORY BUDGET NARRATIVE

Fixed costs - Year-round Personnel - CATEGORY 100 (same as Year 1)
Breakdown of FTE (Full Time Equivalent) to this program:

1. EXECUTIVE DIRECTOR - 0.20 FTE

The executive director responds to Pneuma's Board of Directors and is directly responsible for overall management, operation, and administration of all program activities, including staff professional direction.

Position Cost per FTE = Total	Grant	In-Kind	Other	Total
$53,000 (FTE) x .20 = $10,600	$10,600	-0-	-0-	$10,600

2. RURAL PROGRAM DIRECTOR - 1.0 FTE

This position is responsible to the executive director for all phases of the Village Treatment Program (VTP), including staff hiring. This position requires a close working relationship with the targeted villages and the Pneuma network of area supporters.

Position Cost per FTE = Total	Grant	In-Kind	Other	Total
$45,000 (FTE) x 1.0 = $45,000	$45,000	-0-	-0-	$45,000

3. ADMINISTRATIVE ASSISTANT - 0.2 FTE

This position provides administrative and personnel management support for VTP services, providing all required reports and accounting data, while reporting to the rural program director and the executive director.

Position Cost per FTE =	Total	Grant	In-Kind	Other	Total
$45,500.00 x 0.2 =	$ 9,100	$ 9,100	-0-	-0-	$ 9,100

4. SECRETARY / AIDE - 1.0 FTE

This position provides reception for all visitors and clerical support for the VTP staff, reporting to the administrative assistant. It also provides non-treatment support for the VTP activities under the direct supervision of the counseling staff.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$20,000.00 x 1.0 =	$20,000	$20,000	-0-	-0-	$20,000

5. CERTIFIED CCDC I COUNSELORS - 4.0 FTE

These positions include nationally certified CCDC I counselors, some with special training and expertise. Counselor duties will include remote village travel as well as VTP counseling efforts during residential treatment. With one counselor for a maximum 12 patients, so to serve the 110 villagers in each project, ten counselors or counselor trainees are required. The permanent staff will provide prevention, intervention and aftercare services in addition to their residential counseling duties when a village project is in residence.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$35,000.00 x 4.0 =	$140,000	$140,000	-0-	-0-	$140,000

6. COUNSELOR TRAINEES - 3.0 FTE

This position is for counselors lacking CCDC I certification who will directly assist the VTP counseling program.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$24,000.00 x 3.0 =	$ 72,000	$72,000	-0-	-0-	$72,000

7. PROGRAM AIDES - 1.0 FTE

This position provides general program support, performing monitoring and other duties as assigned by the counseling staff.

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$16,000.00 x 1.0 =	$ 16,000	$16,000	-0-	-0-	$16,000.00

8. BOOKKEEPER / ACCOUNTANT - 0.5 FTE

This position provides all project financial management, payroll accounting, etc..

Position cost per FTE =	Total	Grant	In-Kind	Other	Total
$22,000.00 x 0.5 =	$ 11,000	$11,000	-0-	-0-	$11,000.00

Fixed Costs Personnel total cost each year	=	$ 323,700
20.5% payroll fringe costs	=	$ 66,359
TOTAL FIXED COST PERSONNEL	=	$ 390,059

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__Variable Cost Personnel__ - Variable costs vary with length of residential treatment,

with five such programs the second year. The FTE means that number of people will be hired for only the project duration period. Some economies are apparent, as staff is semi-permanent (35 weeks total), and the average project duration is reduced to seven weeks. Each village project requires the same number of personnel, although more villages are served.

1. CERTIFIED CCDC I COUNSELORS - 2.0 FTE

These positions are similar to year-round counselor positions, but are only required during the residential projects at St. Mary's.

Position costs $35,000/yr x 7 weeks/52 x 2 positions = $9,423/project
Second year project - 5 villages = x 5
Total these positions this year = $47,115 - 2nd year

2. COUNSELOR TRAINEES - 1.0 FTE

Similar to above.

Position costs $24,000/yr x 7 weeks/52 x 1 position = $3,230/project
Second year project - 5 villages = x 5
Total these positions this year = $16,150 - 2nd year

3. PROGRAM AIDES - 4.0 FTE

During the residential program, aides are required for general support functions and to monitor the two dormitory areas on a 24 hour basis.

Position costs $16,000/yr x 7 weeks/52 x 4 positions = $8,615/project
Second year project - 5 villages = x 5
Total these positions this year = $43,076 - 2nd year

4. VOLUNTEER COORDINATOR - 1.0 FTE

Considerable volunteer help will be required during the residential treatment to help with parenting skills, monitor recreation activities, assist at social functions, and a variety of other tasks. The volunteer help will be organized, scheduled, and directed by this person.

Position costs $18,000/yr x 7 weeks/52 x 1 position = $2,423/project
Second year project - 5 villages = x 5
Total these positions this year = $12,115 - 2nd year

5. FOODSERVICE / MAINTENANCE / HOUSEKEEPING - 3.0 FTE

These positions are responsible to the administrative assistant. Foodservice is responsible for menu planning, food purchasing, preparation, serving, and cleanup. Housekeeping and maintenance are responsible for the facility. These position costs are those attributable to the VTP program.

Position costs $19,000/yr x 7 weeks/52 x 3 positions = $7,673/project
Second year project - 5 villages = x 5
Total these positions this year = $38,365 - 2nd year

6. VILLAGE SECURITY PERSONNEL - 2.0 FTE

These positions are for neighboring villagers who will move to the targeted village during their stay at St. Mary's. They will feed the dogs, keep heating systems operating, and provide general security for the villagers while gone.

Position costs $15,000/yr x 7 weeks/52 x 2 positions = $4,038/project
Second year project - 5 villages = x 5
Total these positions this year = $20,192 - 2nd year

Variable Costs - Personnel total cost second year = $ 177,013
20.5% payroll fringe costs = $ 36,287
TOTAL VARIABLE COST PERSONNEL = $ 213,300

TOTAL SECOND YEAR FIXED AND VARIABLE PERSONNEL COST SUMMARY
Fixed Costs Personnel total cost = $ 323,700
20.5% payroll fringe costs = $ 66,359
Variable Costs - Personnel total cost = $ 177,013
20.5% payroll fringe costs = $ 36,287
TOTAL SECOND YEAR COST - PERSONNEL = $ 603,359

FRINGE BENEFITS - 20.5%

7.5% Social security; 3% ESC; 7% medical benefits; 3% retirement program.

Summary of personnel costs:

Executive director	0.2 FTE	@	$53,000 each	=	$10,600
Rural Program Director	1.0 FTE	@	$45,000 each	=	$45,000
Administrative Assistant	0.2 FTE	@	$45,500 each	=	$ 9,100
Secretary/aide	1.0 FTE	@	$20,000 each	=	$20,000
Professional counselors	4.0 FTE	@	$35,000 each	=	140,000
Counselor trainees	3.0 FTE	@	$24,000 each	=	$72,000
Program Aides	1.0 FTE	@	$16,000 each	=	$16,000
Bookkeeper/Accountant	0.5 FTE	@	$22,000 each	=	$11,000
Full Time Personnel TOTALS	10.9 FTE				$323,700

Part time counselors	2.0	(35wks)	@ $35,000	=	$ 47,115
Part time trainees	1.0	(35wks)	@ $24,000	=	11,150
Part time aides	4.0	(35wks)	@ $16,000	=	43,076
Part time coordinator	1.0	(35wks)	@ $18,000	=	12,115
Part time food service	2.0	(35wks)	@ $19,000	=	25,320
Part time maint/hskpg	1.0	(35wks)	@ $19,000	=	13,045
Part time security	2.0	(35wks)	@ $15,000	=	20,192
Part time Personnel TOTALS	13.0				$ 172,013

Fixed Costs Personnel total cost = $ 323,700
20.5% payroll fringe costs = $ 66,359
Variable Costs - Personnel total cost = $ 172,013
20.5% payroll fringe costs = $ 36,287
TOTAL SECOND YEAR COST - PERSONNEL = $ 603,359

TRAVEL - category 200 - Second year budget totals.

Travel cost items for the second year are the same as for the first. Most costs increase two additional projects are scheduled.

Two directors @ 8 trips per village project	@ $150 ea	= $12,000
Director / agency intervention / village	@ 700 ea	= 3,500
Professional personnel employment travel	@ 750 ea	= 7,500
Project personnel employment travel	@ 550 ea	= 5,500
Village security personnel travel / village	@ 250 ea	= 1,250
Aftercare counselors 3/village x 10 times/vill	@ 125 ea	= 18,750
Foundation annual meeting travel 2 ea	@ 770 ea	= 1,540
Anchorage counselor training travel 2 x/yr	@ 330/yr	= 3,630
Villager travel to/from treatment 110/village	@ 125 ea	= 68,750
Local airport transport for 110 villagers	@ 12 ea	= 6,600
Local airport travel for staff travel 300 days	@ 15/day	= 4,500
TOTAL Travel costs		$133,520

	Grant	In-Kind	Other	Total
CATEGORY 200 EXPENSE TOTALS	$133,520	-0-	-0-	$133,520

FACILITY EXPENSE - category 300 - Second year budget totals.

Facility use will be the same as for the first year but costs change as the number of site users increase:

Site use charge/pp @ 100/project @ 45 nights	@ $ 2/day	= $45,000
Utilities - heat, water, sewer, refuse, etc	@ $3,000/mo	= $36,000
Telephone & long distance charges	@ $ 600/mo	= $ 7,200
Repairs & Maintenance supplies/village project	@ $ 500 ea	= $ 2,500
TOTAL Facility costs		$90,700

	Grant	In-Kind	Other	Total
CATEGORY 300 EXPENSE TOTALS	$ 90,700	$200,000	-0-	$ 290,700

SUPPLIES -category 400 - Second year budget totals

Supplies are similar as for the first year, with additions due to the increased number of patients treated.

Program books, literature, etc - 100/village	@ $28 ea	= $14,000
Medical & first aid supplies/village project	@ $ 500 ea	= $ 2,500
Food @ $8/pp x 100 villagers x 50 avg days	@ 5/yr	= 200,000
Less government assistance		=(100,000)
Office support supplies - postage, etc.	@ $5,000/yr	= $ 5,000
Household supplies - linens etc @ 100/ project	@ $10/pp	= $ 5,000
TOTAL Supplies costs (net).		$126,500

	Grant	In-Kind	Other	Total
CATEGORY 400 EXPENSE TOTALS	$126,500	-0-	$100,000	$226,500

EQUIPMENT - cost category 500 - Second year budget totals

Audio/visual rental and maintenance	= $ 1,500
Office equipment lease and repairs	= $ 2,400
Computer system purchase	= $ 200
TOTAL Equipment costs	$ 4,100

	Grant	In-Kind	Other	Total
CATEGORY 500 EXPENSE TOTALS	$ 4,100	-0-	-0-	$ 4,100

OTHER OPERATING EXPENSES - Category 600 - Second year budget totals

Accounting and payroll services $400/mo x 12mo	= $ 4,800
Legal costs, reviews, opinions, etc.	= $ 5,000
Less donated legal services	=($ 4,000)
Insurance - professional liability	= $11,800
Insurance - general liability	= $ 4,800
Insurance - workmens compensation	= $ 4,600
TOTAL Other Operating Expenses (net)	= $27,000

	Grant	In-Kind	Other	Total
CATEGORY 600 EXPENSE TOTALS	$ 27,000	-0-	$ 4,000	$31,000

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY
Second Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$603,359	-0-	-0-	$603,359
Category 200 - Travel	$133,520	-0-	-0-	$133,520
Category 300 - Facility	$ 90,700	$200,000	-0-	$290,700
Category 400 - Supplies	$126,500	-0-	$100,000	$226,500
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 27,000	-0	$ 4,000	$ 31,000
VILLAGE TREATMENT PROJECT TOTALS	$985,179	$200,000	104,000	$1,289,179

Pneuma Corporation
Village Treatment Grant Application

SOADA Proposal

THIRD YEAR BUDGET NARRATIVE

In the third year, the Village Treatment Program "graduates" to full-time status, and has the characteristics of an on-going program to be funded thereafter by other sources. The number of village projects increases from five to seven, a practical yearly limit since each project will involve six weeks of residential treatment.

In this third year, which should be typical of future operating years, 61% of the grant request funds are for personnel, and 23.5% of the total project costs are provided by in-kind or other donations.

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY
Third Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$706,973	-0-	-0-	$706,973
Category 200 - Travel	$175,220	-0-	-0-	$175,220
Category 300 - Facility	$109,700	$200,000	-0-	$309,700
Category 400 - Supplies	$175,100	-0-	$140,000	$325,100
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 30,500	-0	$ 4,000	$ 35,500
VILLAGE TREATMENT PROJECT TOTALS	$1,201,593	$200,000	144,000	$1,345,593

COST CATEGORY BUDGET NARRATIVE

Personnel Costs - CATEGORY 100 (all full-time employees)
Breakdown of FTE (Full Time Equivalent) to this program:

1. EXECUTIVE DIRECTOR - 0.20 FTE

The executive director responds to Pneuma's Board of Directors and is directly responsible for overall management, operation, and administration of all program activities, including staff professional direction.

Position Cost per FTE = Total	Grant	In-Kind	Other	Total
$53,000 (FTE) x .20 = $10,600	$10,600	-0-	-0-	$10,600

2. RURAL PROGRAM DIRECTOR - 1.0 FTE

This position is responsible to the executive director for all phases of the Village Treatment Program (VTP), including staff hiring. This position requires a close working relationship with the targeted villages and the Pneuma network of supporters throughout the area.

Position Cost per FTE = Total	Grant	In-Kind	Other	Total
$45,000 (FTE) x 1.0 = $45,000	$45,000	-0-	-0-	$45,000

3. ADMINISTRATIVE ASSISTANT - 0.2 FTE

This position provides administrative and personnel management support for VTP services, providing all required reports and accounting data, while reporting to the rural program director and the executive director.

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$45,500.00	x	0.2	=	$ 9,100	$ 9,100	-0-	-0-	$ 9,100

4. SECRETARY / AIDE - 1.0 FTE

This position provides reception for all visitors and clerical support for the VTP staff, reporting to the administrative assistant. It also provides non-treatment support for the VTP activities under the direct supervision of the counseling staff.

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$20,000.00	x	1.0	=	$20,000	$20,000	-0-	-0-	$20,000

5. CERTIFIED CCDC I COUNSELORS - 6.0 FTE

These positions include nationally certified CCDC I counselors, some with special training and expertise. The success of treatment will depend on the quality and dedication of the counseling staff which is under the direction of the rural program director. Their duties will include remote village travel as well as VTP counseling efforts during residential treatment. One counselor should not have more than 12 counseling patients, so to serve the 110 villagers in each project, ten counselors or counselor trainees are required. The permanent staff will provide prevention, intervention and aftercare services in addition to their residential counseling duties when a village project is in residence.

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$35,000.00	x	6.0	=	$210,000	$210,000	-0-	-0-	$210,000

6. COUNSELOR TRAINEES - 4.0 FTE

This position is for counselors lacking CCDC I certification; they directly assist the VTP counseling program.

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$24,000.00	x	4.0	=	$ 96,000	$96,000	-0-	-0-	$96,000

7. PROGRAM AIDES - 5.0 FTE

This position provides general program support, performing monitoring and other duties as assigned by the counseling staff.

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$16,000.00	x	5.0	=	$ 80,000	$80,000	-0-	-0-	$80,000

8. BOOKKEEPER / ACCOUNTANT - 0.5 FTE

This position provides all project financial management, payroll accounting, etc..

Position cost per FTE			=	Total	Grant	In-Kind	Other	Total
$22,000.00	x	0.5	=	$ 11,000	$11,000	-0-	-0-	$11,000

9. VOLUNTEER COORDINATOR - 1.0 FTE

Considerable volunteer help will be required during the residential treatment to help with parenting skills, monitor recreation activities, assist at social functions, and a variety of other tasks. The volunteer help will be organized, scheduled, and directed by this person.

Position cost per FTE	= Total	Grant	In-Kind	Other	Total
$18,000.00 x 1.0	=$ 18,000	$18,000	-0-	-0-	$18,000

10. FOODSERVICE / MAINTENANCE / HOUSEKEEPING - 3.0 FTE

These positions are responsible to the administrative assistant. Foodservice is responsible for menu planning, food purchasing, preparation, serving, and cleanup. Housekeeping and maintenance are responsible for the facility. These position costs are those attributable to the VTP program.

Position cost per FTE	= Total	Grant	In-Kind	Other	Total
$19,000.00 x 3.0	=$ 57,000	$57,000	-0-	-0-	$57,000

11. VILLAGE SECURITY PERSONNEL - 2.0 FTE

These positions are for neighboring villagers who will move to the targeted village during their stay at St. Mary's. They will feed the dogs, keep heating systems operating, and provide general security for the villagers while gone.

Position cost per FTE	= Total	Grant	In-Kind	Other	Total
$15,000.00 x 2.0	=$ 30,000	$30,000	-0-	-0-	$30,000

Summary of personnel costs:

Executive director	0.2 FTE	@ $53,000 each	= $10,600
Rural Program Director	1.0 FTE	@ $45,000 each	= $45,000
Administrative Assistant	0.2 FTE	@ $45,500 each	= $ 9,100
Secretary/aide	1.0 FTE	@ $20,000 each	= $20,000
Professional counselors	6.0 FTE	@ $35,000 each	= 210,000
Counselor trainees	4.0 FTE	@ $24,000 each	= $96,000
Program Aides	5.0 FTE	@ $16,000 each	= $80,000
Bookkeeper/Accountant	0.5 FTE	@ $22,000 each	= $11,000
Volunteer Coordinator	1.0 FTE	@ $18,000 each	= $18,000
Food/Maint./Housekeeping	3.0 FTE	@ $19,000 each	= $57,000
Village Security	2.0 FTE	@ $15,000 each	= $30,000
Full Time Personnel TOTALS	23.9 FTE		$586,700
		20.5% payroll fringe costs	= $120,273
		TOTAL FIXED COST PERSONNEL	=$ 706,973

FRINGE BENEFITS - 20.5%

7.5% Social security; 3% ESC; 7% medical benefits; 3% retirement program.

TRAVEL - category 200 - Third year budget totals.

Travel cost items for the third year are the same as for previous years, but unit costs have risen with the number of treatment projects to seven.

Two directors @ 8 trips per village project	@ $150 ea	= $16,000
Director / agency intervention / village	@ 700 ea	= 4,900
Professional personnel employment travel	@ 750 ea	= 7,500
Project personnel employment travel	@ 550 ea	= 2,750
Village security personnel travel / village	@ 250 ea	= 1,750
Aftercare counselors 3/village x 10 times/vill	@ 125 ea	= 26,250
Foundation annual meeting travel 2 ea	@ 770 ea	= 1,540
Anchorage counselor training travel 2 x/yr	@ 330/yr	= 4,290
Villager travel to/from treatment 110/village	@ 125 ea	= 96,250
Local airport transport for 110 villagers	@ 12 ea	= 9,240
Local airport travel for staff travel 300 days	@ 15/day	= 4,500
TOTAL Travel costs		$175,220

	Grant	In-Kind	Other	Total
CATEGORY 200 EXPENSE TOTALS	$175,220	-0-	-0-	$175,220

FACILITY EXPENSE - category 300 - Third year budget totals.

Facility use will be the same as for previous years, but costs change as the number of site users increase:

Site use charge/pp @ 100/project @ 45 nights	@ $ 2/day	= $63,000
Utilities - heat, water, sewer, refuse, etc	@ $3,000/mo	= $36,000
Telephone & long distance charges	@ $ 600/mo	= $ 7,200
Repairs & Maintenance supplies/village project	@ $ 500 ea	= $ 3,500
TOTAL Facility costs		$109,700

	Grant	In-Kind	Other	Total
CATEGORY 300 EXPENSE TOTALS	$109,700	$200,000	-0-	$ 309,700

SUPPLIES -category 400 - Third year budget totals

Supplies are similar as for the first year, with additions due to the increased number of patients treated.

Program books, literature, etc - 100/village	@ $28 ea	= $19,600
Medical & first aid supplies/village project	@ $ 500 ea	= $ 3,500
Food @ $8/pp x 100 villagers x 50 avg days	@ 7/yr	= 280,000
Less government assistance		=(140,000)
Office support supplies - postage, etc.	@ $5,000/yr	= $ 5,000
Household supplies - linens etc @ 100/ project	@ $10/pp	= $ 7,000
TOTAL Supplies costs (net)		$175,100

	Grant	In-Kind	Other	Total
CATEGORY 400 EXPENSE TOTALS	$175,100	-0-	$140,000	$325,100

EQUIPMENT - cost category 500 - Third year budget totals

Audio/visual rental and maintenance	= $ 1,500
Office equipment lease and repairs	= $ 2,400
Computer system purchase	= $ 200
TOTAL Equipment costs	$ 4,100

	Grant	In-Kind	Other	Total
CATEGORY 500 EXPENSE TOTALS	$ 4,100	-0-	-0-	$ 4,100

OTHER OPERATING EXPENSES - Category 600 - Third year budget totals

Accounting and payroll services $400/mo x 12mo	= $ 4,800
Legal costs, reviews, opinions, etc.	= $ 5,000
Less donated legal services	=($ 4,000)
Insurance - professional liability	= $13,800
Insurance - general liability	= $ 5,800
Insurance - workmens compensation	= $ 5,100
TOTAL Other Operating Expenses (net)	= $30,500

	Grant	In-Kind	Other	Total
CATEGORY 600 EXPENSE TOTALS	$ 30,500	-0-	$ 4,000	$35,500

VILLAGE TREATMENT PROGRAM BUDGET SUMMARY
Third Year Operations

Item of cost	Grant	In-Kind	Other	Total
Category 100 - personnel	$706,973	-0-	-0-	$706,973
Category 200 - Travel	$175,220	-0-	-0-	$175,220
Category 300 - Facility	$109,700	$200,000	-0-	$309,700
Category 400 - Supplies	$175,100	-0-	$140,000	$325,100
Category 500 - Equipment	$ 4,100	-0-	-0-	$ 4,100
Category 600 - Miscellaneous	$ 30,500	-0	$ 4,000	$ 35,500
VILLAGE TREATMENT PROJECT TOTALS	$1,201,593	$200,000	144,000	$1,545,593

GENERAL PROJECT NOTE

The SOADA Proposal program for community-based, problem-focused health services has a unique opportunity to positively impact the Alaska Native communities with Pneuma's Village Treatment Project. Prevention, intervention, and treatment has never been accomplished on such a scope before, and Pneuma is in the unique position of having a local facility capable of accomodating the project. Salaries for the trained professionals with special inter-cultural and family therapy skills comprise the majority of the project's budget. These professionals will guide the communities to healthy functioning.

Form 06-2060L

REQUIRED MATCH

THIRD PARTY LETTER OF AGREEMENT

BETWEEN:
Contributing Organization/Individual (Third Party) 907-474-0753
(Name, Address, Phone)
Catholic Bishop of Northern Alaska, 1316 Peger Road, Fairbanks, Alaska 99701

and

Grantee Agency Pneuma Corporation

Program Title Pneuma Family Life Programs Including FY90 Grant Proposals for:

Alcoholism and Co-Dependency Family Treatment Program; Prevention Program; Training Program; and Village Treatment Program.

Type of Donation: Facility Use
Description:

The Catholic Bishop of Northern Alaska, (CBNA), an Alaskan nonprofit corporation sole, is the owner of real property consisting of approximately 173.71 acres, together with all improvements located thereon known as St. Mary's Mission located at St. Mary's, Alaska. In support of Pneuma's Family Life program of education prevention and treatment for alcohol abuse, alcoholism, other drug addiction, and co-dependency, CBNA agrees to donate this property and facility to Pneuma from July 1, 1989 through June 30, 1990 (FY90) if operating funding is made available from the State of Alaska. An appropriate lease, on terms to be negotiated, shall be executed after state funding assurances are completed.

Value: (Detailed Computation)

The appropriate rent for this property is $300,000.00 per year. Such amount shall be spread throughout Pneuma's programs to assure a minimum of 10% in-kind match for each separately funded program or project. The $300,000 calculated to a rental fee of approximately $0.35/sf/month for the over 69,000 sf of buildings donated to Pneuma.

1007/7
I hereby certify that the items or services listed above are the agreed upon contribution to the above named program.

4/10/89
Date

Authorized Representative
Contributing Individual

CERTIFICATION OF MATCHING REQUIREMENTS

Pneuma Corporation Family Life Programs

FY90

7/1/89 - 6/30/90

Pneuma Corporation

7/1/89-6/

Robert K. Betz

~~Financial Officer, Vice Presiden~~

$300,000.00

$300,000.00

10%

In-kind contribution from Catholic Bishop of Northern
Alaska for facility rent/use at St. Mary's, Alaska............$300,000.00

The in-kind contribution will be allocated between each grant proposal accep
to achieve a minimum of 10% matching funds requirement for each program.

[illegible]

PRESIDENT

Appendix A

ASSURANCES

Applicants must indicate their intention to comply with all terms and conditions of this RFP, the terms and conditions of any grant awarded by the Department and with 7 AAC 78, the Department's grant program regulations. These conditions include, but are not limited to:

(1) The provision of Worker's Compensation Insurance.
The provision of liability insurance if automobiles are used for the purpose of this grant program.
The provision of comprehensive general liability insurance.

(2) Compliance with the requirements of the Civil Rights Act of 1964, as amended.

(3) Compliance with Federal and State laws and regulations preventing discriminatory employment practices.

(4) Compliance with Federal and State requirements for safeguarding information. Any information about Department clients that is obtained or developed under grant funds is confidential and cannot be released without the written approval of the Department.

(5) Consent to suit:
Native Council applicants to state grant programs are required to consent to be sued by the State of Alaska upon any claims arising out of the Councils activities under that grant program. Consent to suit will be a special condition of grant award to Native Councils.

(6) Providing State officials access to financial and program records pertaining to the grant and project.

(7) Maintenance of financial and program records for audit.

(8) Ensuring that grant funds will not be used for lobbying

(9) Submission of quarterly fiscal reports, quarterly program narrative reports, monthly program updates, a final project report, and other grant program reports.

(10) As per number 3, above, religious belief or affiliation cannot be either a requirement for service or a factor in the denial of service under these grants.

(11) Compliance with criminal screening requirements as set forth in AS 12.62.035... (Both paid and volunteer employees having supervisory or disciplinary power over children will undergo criminal screening.)

(12) Compliance with single audit regulations 2 AAC 45.

Authorized Signature

I JAMES A. SEBESTA, the chief executive officer, president, or chief of PNEUMA CORPORATION hereby assure the Department of Health and Social Services that, should my organization receive funding for the ________ grant program, it will comply with the assurances listed on this page. [Date] 4/13/89 [Signature] James A. Sebesta

[Title] PRESIDENT

Appendix C

VILLAGE TREATMENT PROGRAM

Acknowledgement of Receipt

Applicant Organization: PNEUMA CORPORATION

Date Application was Mailed APRIL 13, 1989 - EXPRESS

Signature of Applicant's Representative

(Applicant please fill in top)

(DHSS agency)

Your application was received ____________. After the required evaluation period you will receive another letter notifying you of the granting agency's acceptance or denial of your request.

Thank you for applying to provide services through a Department of Health and Social Services grant.

agency signature / office

CHILKAT INDIAN VILLAGE
AN INDIAN REORGANIZATION ACT VILLAGE
UNDER ACT OF CONGRESS JUNE 18, 1934
P.O. Box 210
HAINES, ALASKA 99827
767-5505

JOE HOTCH, PRESIDENT. MAY 27,I989
FOR CHILKAT INDIAN VILLAGE TRIBE.

HONORABLE, SENATOR DAVID K. INOUYE.
CHAIRMAN, SELECT COMMITTEE ON INDIAN AFFAIRS.

SENATOR INOUYE, DISTINQUISHED MEMBERS OF THE SELECT COMMITTEE ON INDIAN AFFAIRS,.

IT IS A GREAT HONOR TO WELCOME YOU TO OUR LAND , ALASKA, ALASKA IS THE LAND OUR NATIVE PEOPLES HAVE BEEN STEWARDS OF BOTH LAND AND IT'S RESOURCES AS WE ACKNOWLEDGE FROM WITHIN THE BIBLE. GOD HAS BLESSED OUR NATIVE PEOPLES WITH ALL THE CONTENTS OF THIS LAND.

MR. CHAIRMAN, I WILL HIGHLIGHT IN MY TESTIMONY AS CLOSE AS POSSIBLE TO OUR SUPPLIMENTAL MATERIAL BEFORE THE COMMITTEE IN BOOKLET FORM.

IT IS WITH HONOR AND PRIDE IN GOD'S GIFTS TO OUR TRIBE THAT I COME BEFORE YOU, REPRESENTING THE CHILKAT INDIAN VILLAGE TRIBE OF TLINGETS.

WE ARE ALSO ORGANIZED UNDER THE INDIAN REORGANIZATION ACT OF 1934 AS AMENDED IN 1936, BOTH SECTIONS I6 AND I7, OUR TRIBE HAS GOVERNED IT SELF SINCE TIME IMMEMORIAL . OUR SELF GOVERNMENT IS INHERENT.

IT WAS NOT RECEIVED FROM THE DISTRICT ORGANIC ACT OF MAY I7,I887,IT WAS NOT RECEIVED FROM THE TERRITORIAL ORGANIC ACT OF AUGUST 24,I924, AND IT WAS NOT RECEIVED FROM THE ALASKA STATEHOOD ACT OF JULY 7,I958.

HOWEVER, ARTICLE I2, SECTION I2 RECOGNIZES OUR SELF GOVERNANCE BY THE DISCLAIMER AND AGREEMENT. BECAUSE THIS IS REQUIRED BY PREVIOUS AMERICAN INDIAN TREATIES.

OUR SELF GOVERNMENT IS ALSO RECOGNIZED BY OUR CONTINUED EXERCISE OF TRIBAL CEMETERIES IN OUR NATIVE COMMUNITIES.

PUBLIC LAW 93-639 ,SECTION 2 (2) READS, THE INDIAN PEOPLE WILL NEVER SURRENDER THEIR DESIRE TO CONTROL THEIR RELATIONSHIPS BOTH AMONG THEMSELVES AND WITH NON-INDIAN GOVERNMENTS, ORGANIZATIONS, AND PERSONS.

THE TREATY CESSION OF RUSSIA, PROCLAIMED BY THE UNITED STATES JUNE 20,1867 article 3, READS, THE INHABITANTS OF THE CEDED TERRITORY, ACCORDING TO THEIR CHOICE,RESERVING THEIR NATURAL ALLEGANCE, MAY RETURN TO RUSSIA WITHIN THREE YEARS; BUT IF THEY SHOULD PREFER TO REMAIN IN THE CEDED TERRITORY THEY, WITH THE EXCEPTION OF UNCIVIZED NATIVE TRIBES, SHALL BE ADMITTED TO THE ENJOYMENT OF ALL RIGHTS, ADVANTAGES, AND IMMUNITIES OF CITIZENS OF THE UNITED STATES, AND SHALL BE MAINTAINED AND PROTECTED IN THE FREE ENJOYMENT OF THEIR LIBERTY, PROPERTY, AND RELIGION. THE UNCIVLIZED TRIBES WILL BE SUBJECT TO SUCH LAWS AND REGULATIONS AS THE UNITED STATES MAY, FROM TIME TO TIME , ADOPT IN REGARD TO ABORIGINAL TRIBES OF THAT COUNTRY.

FINALLY, THE REGIONAL AND VILLAGE CORPORTATIONS ORGANIZED UNDE THE ALASKA NATIVE CLAIMES SETTLEMENT ACT HAS DIVIDED OUR NATIVE TRIBES IN ALASKA.

WE RECOGNIZE THAT THE REGIONAL AND VILLAGE CORPORATIONS ARE DOING THEIR BEST AS BUSSINESS CORPORATIONS SET UP UNDER THE STATE CORPORATION LAWS. HOWEVER, VERY FEW OF OUR NATIVE PEOPLE ARE WORKING IN OUR CORPORATIONS OR IT SUBSIDARIES. WE WILL BE FURTHER DIVIDED AFTER 1991 WHEN STOCKS CAN BE SOLD TO NON-NATIVES.

THE LIFE OF OUR CORPORATIONS WILL BE AS LONG AS IT PRODUCES.

LAND, PROPERTY AND SHAREHOLDERS EXISTANCE WILL END SOMEWHERE. BUT TRIBES WILL CONTINUE TO EXIST AND OUR CHILDREN WILL BECOME MEMBERS UPON BIRTH AS ALWAYS, THEREFORE , CHILKAT INDIAN VILLAGE I.R.A. COUNCIL , ON BEHALF OF CHILKAT TRIBE REQUESTS , THE SELECT COMMITTEE ON INDIAN AFFAIRS , TO HEAL THE INJURIES IMPOSED ON THE ALASKA NATIVE STATUS BY THE STATEHOOD ACT AND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT , BY RESTORING TRIBAL RECOGNITION. TO ALL TRADITIONAL COUNCILS AND I.R.A. TRIBAL COUNCILS.

THE VOICES OF REGIONAL AND VILLAGE CORPORATIONS ARE HEARD IN WASHINGTON D.C BUT THE VOICES OF CONCERNED TRADITIONAL AND I.R.A. COUNCILS ARE DIMLY HEARD AT THE PRESENT TIME BOTH BY THE STATE AND FEDERAL GOVERNMENTS.

CHILKAT INDIAN VILLAGE , IS FORTUNATE TO HAVE JOINED THE ALASKA NATIVE COALITION THROUGH WHOM OUR VOICE IS REPRESENTED, PARTICULARLY BY JOHN BORBRIDGE JR. AND EDWARD WARREN. OUR APPRECIATION ALSO GOES TO THE NATIVE AMERICAN RIGHTS FUND STAFF IN ALASKA FOR THEIR ASSISTANCE .

IN CLOSING, THE AMERICAN INDIANS AND ALASKA NATIVES APPRECIATE THE SELECT COMMITTEE ON INDIAN AFFAIR, BEING AN IMPORTANT ARM OF CONGRESS OF THE UNITED STATES, BECAUSE, YOUR DECISIONS RELATIONG TO US AS ALASKA NATIVES AND ALASKA TRIBES IS VERY IMPORTANT TO OUR GOVERNMENT TO GOVERNMENT RELATIONSHIP AND SURVIVAL.

MAY GOD, BLESS YOU ALL ON THE SELECT COMMITTEE ON INDIAN AFFAIRS , AS YOU DELIBERATE ON ISSUES RELATING TO THE AMERICAN INDIANS AND ALASKA NATIVES WHO APPRECIATE AND ENJOY AND EXERCISE SELF GOVERNMENT .

THANK YOU ON BEHALF OF THE CHILKAT TRIBE.

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Klukwan Buys Back Treaty

ANCHORAGE, Alaska (AP) — Villagers from Klukwan have paid an art dealer in New Mexico an undisclosed sum for what is believed to be a 112-year-old peace treaty between the Stikeen and Chilkat Indians.

The treaty ended 12 years of warfare and bloodshed between the tribes.

The documents was signed, perhaps in blood, at Fort Wrangell in January 1876 by Chief Shakes of the Stikeen Indians and Chief Se-gua-sha of the Chilkat Indians.

The treaty which apparently ended the fighting wound up in the collection of a Santa Fe, N.M., art dealer David Kramer. Villagers from Klukwan bought the document from him earlier this month.

Klukwan, where descendants of the Chilkats still live, is the oldest Tlingit settlement in southeastern Alaska. It is located in the Chilkat Bald Eagle Reserve, about 22 miles north of Haines. The Chilkat and Stikeen tribal groups were part of the Tlingit nation.

After the treaty is authenticated, it will be put on display at the planned Klukwan Eagle Observatory and Cultural Heritage Center. Construction of the center should be completed in three years, said Klukwan Heritge Foundation President Janice Clayton Hill.

The treaty includes a pair of red wax seals with narrow ribbons next to the chiefs' marks, and a blue seal indicating it arrived at Fort Sitka on Feb. 3, 1876.

It reads:

"To whom it may concern:

Know that (the) Stickeens and Chilcat tribes of Alaska Indians, desiring a renewal of the peace and friendship heretofore existing between their people, have amicably adjusted all matters of difference that during the past twelve years have led to frequent acts of Retaliation and War. And we, their authorized representatives, do hereby pledge the good faith of the people of our respective tribes to the maintenance of the compact of peace."

Kramer said he has had the treaty for about 10 years. He said he bought it from the estate of an Indian artifact collector, who picked it up in Seattle from a Mr. Greene in the early 1970s.

"The story attached to it is that a woman from the Northwest went around buying a great many prominent objects in the '40s, hoping to open a museum. Her collection was liquidated by Mr. Greene," Kramer said.

After being contacted by an associate of Kramer, Hill said she and Village Council President Joe Hotch questioned elders and dug up old records to verify there were battles between the Chilkats and Stikeens in that time period, and apparently a treaty.

"We got enough information to make us realize the historical importance of this to us," she said.

Hill said that with the Cultural Heritage Center now being planned, the foundation has been trying to get various artifacts returned to Klukwan.

Declining to discuss the price he paid, or the sale price, Kramer said "It's not so much the money, but that it wound up with the proper parties."

Kramer said variations in coloration in the document's text indicates it may have been written and signed in blood. "It appears to be blood, but it would take a test to confirm it," he said.

One of the names on the document, Chief Shakes, is an honorary title passed from generation to generation. The current title holder is Fred Paul, a Tlingit lawyer living in Seattle.

Paul said he was suprised at the existence of a handwritten treaty in English. Typically, a peace agreement would feature speeches and a big potlatch rather than a written treaty, he said.

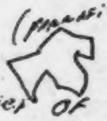
"Sounds like it might have been something imposed by the white man,-" he said.

The treaty reads as follows, the blank spaces Condate non decipherable Writing From The authors of The Document.

TO WHOM IT MAY CONCERN

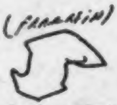
KNOW THAT THE STICKEENS AND CHILKAT
TRIBES OF ALASKA INDIANS,
DESIRING A SYMBOL OF THE PEACE AND
FRIENDSHIP HERETOFORE EXISTING BETWEEN
OUR PEOPLE HAVE AMICABLY SATISFIED
ALL MATTERS OF DIFFERENCES THAT
DURING THE PAST TWELVE YEARS,
HAVE LED TO ____________ ACTS OF
RETALLIATION AND WARS.
AND WE THIER AUTHORISED REPRESENTATIVES
DO HEREBY PLEDGE THE GOOD FAITH OF
THE PEOPLE OF OUR RESPECTIVE TRIBES
TO THE ____________ OF THIS COMPACT
OF PEACE

SHOKES His X MARK



PRINCIPLE CHIEF OF THE STICKEENS

SE · GUA · SHA His X MARK

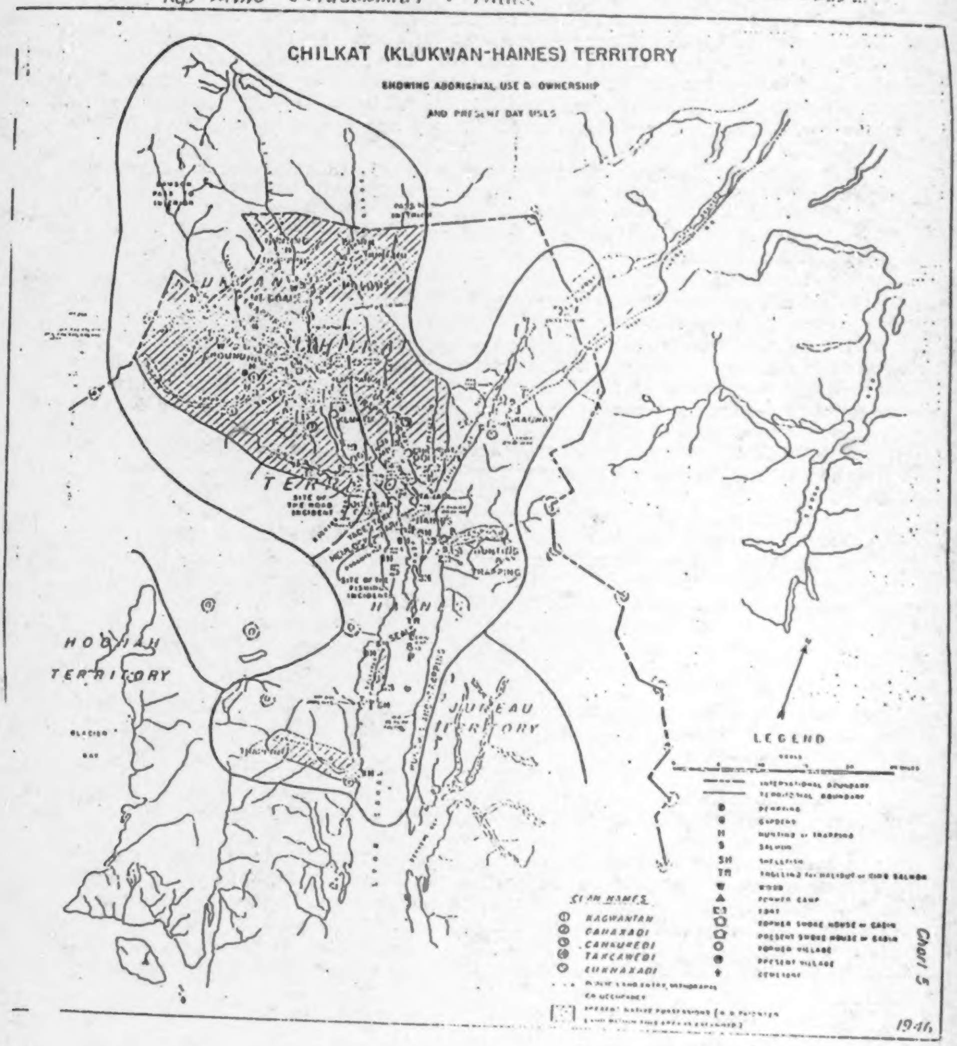


PRINCIPLE CHIEF CHILKAT

DONE AT FORT WRANGLE ALASKA THIS 17TH
DAY OF JANUARY 1876
IN THE PRESENCE OF JOHN COOK (SIGNATURE) INTERPRET
& S.P. ____________ CAPTAIN OF THE 21ST INFANTRY

#3

Map from Goldschmidt & Haas.


CHILKAT (KLUKWAN-HAINES) TERRITORY
SHOWING ABORIGINAL USE & OWNERSHIP
AND PRESENT DAY USES
HOONAH TERRITORY
JUNEAU TERRITORY
SITE OF THE HOOD INCIDENT
SITE OF THE ... INCIDENT
HAINES
TRAPPING
LEGEND
SCALE
INTERNATIONAL BOUNDARY
TERRITORIAL BOUNDARY
B BERRYING
G GARDENS
H HUNTING or TRAPPING
S SALMON
SH SHELLFISH
TR TROLLING for HALIBUT or KING SALMON
WOOD
FORMER CAMP
FORT
FORMER SMOKE HOUSE or CABIN
PRESENT SMOKE HOUSE or CABIN
FORMER VILLAGE
PRESENT VILLAGE
CEMETERY
CLAN NAMES
KAGWANTAN
GANAXADI
CANKUKEDI
TAKCAWEDI
LUKNAXADI
Chart 5
1946

Section A. The Chilkat Territory

General Description

The Tlingit Indians at the head of the Lynn Canal and along the Chilkat River are known collectively as the Chilkat. At the present time they are divided between two communities, Klukwan, 22 miles up the Chilkat from Haines, and Haines itself. They now consider themselves separate tribes, but in the old days they were a single unit, with their major villages at Klukwan, and other villages on the Chilkat and Chilkoot rivers and of the Taiya Inlet.

This unity was recognized as far back as 1835, when Veniaminov first mentions them. Petrov[45] lists four villages as follows:

Kluckquan	Chilkat river and Bay	565	population
Katwaltu	" " " "	125	"
Yondestuk	" " " "	171	"
Chilkoot	Chilkoot river	127	"

It will be noted that on the map from Krause, the names and locations of these four villages are given as Klokwan, Katkwaltu, Yendestake and Tschilkut. Krause spent the winter of 1880-81 with the Chilkat people, and his detailed ethnographic report is based largely upon this visit. Of Chilkat, he says:

> "The Chilkat tribe lives in four separate villages at the north end of Lynn Canal, the mightiest of all the Tlinkit tribes.
>
> "The chief place is Klukwan on the Chilkat river about 30 km. above its mouth. It has 65 houses and 500 to 600 inhabitants. About 8 km. below is Katkwaltu, with 8 houses and 125 inhabitants, and at the mouth of the Chilkat river lies Yendestake with 16 houses and 150 to 200 inhabitants. The fourth village, Chilkoot, with 8 houses and about 120 inhabitants, lies on the Northeast arm of Lynn Canal at the lower end of Chilkoot Lake." [46]

Krause describes some of the historical relations between the Chilkats and the whites which support his contention that the Chilkats were in fact the mightiest of all Tlingit tribes.

In addition to the foregoing, Swanton lists Daye (Dyea), Czaque (Skagway) and Decu (Haines Mission) as villages belonging to the Chilkat tribe.

A study made in 1928 and based largely upon data obtained from a Chilkat native named Louis Shotridge, a member of the staff of the University Museum at Philadelphia, indicates the location of hunting and fishing territories owned by clans and families in the Chilkat area. This map is reproduced here as Chart No. 2. One percent interest is the indication of the territory utilized by the Chilkat, and the location of villages. Mr. Shotridge, the

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[5] Petrov, op. cit.

[46] Krause, op. cit., P. 100

ither's source of information, does not show Yandestake, but he indicates the other three, as well as Tanani Village.

Niblack likewise recognizes the Chilkat as a single tribe and indicates their territory in accordance with the foregoing, save that he puts in this area all of Glacier Bay. For this there is no evidence in any other historical source or from statements received in the field.

The Chilkat territory includes the shores of the Lynn Canal and its tributaries from Berners Bay (but not including it) on the east side and from somewhere south of Sullivan Island on the west side, northward. The land along the canal is steep and rugged and not used for inland, but the shores of the streams, especially of the Chilkat river and its tributaries are used to their headwaters. The passes were used as a means of access to the interior, when the natives went to trade for furs with their inland neighbors. It will be noted that Davidson's map indicates slightly greater territory to the south, including property rights to portions of Berners Bay.

The line of demarcation between the Klukwan and the Haines people is less sharp. In general the Chilkoot people claim all of the Chilkoot and Taiya Inlets and the tributary streams up to the divide, all the Lynn Canal and peninsula area and the Chilkat Inlet and river about to seven miles above Haines on the east side, but below the confluence of Kicking Horse River on the west side. The Chilkat and Klehini rivers above this, as far as the divide, are Chilkat territory.

The Chilkat people of both Haines and Klukwan recognize their essential unity. Klukwan witnesses describe the situation as follows:

> "We all of Klukwan, whether Eagle or Raven now mix and work together. When I was a boy, each family had a particular spot for their hunting but now we can use all of the territory of the Klukwans. The people from Haines may hunt, trap and fish with us and we from Klukwan can hunt, fish and trap with them. However, some of us have particular spots where we trap and hunt every year. 47/
>
> "I heard from my father and grandfathers now dead that the Chilkat people's land extended from Seduction Point to the tip of Sullivan Island, up the Chilkat River and Chilkat Valley, up the Chilkoot River and up to Skagway and Dyea. At Dyea there was a trail which went up to the Interior Indians who were met at Lutsil'an, an Indian village on the Yukon. I went there myself. It was a common thing.
>
> "In the old days there was a village called Yandistaki which was considered one with Klukwan. Both were included in the term Teeloatquan. There was a big village at the southern end of Chilkoot Lake and there were cabins at the head of the lake.

47/ Statement of James King (5)

> There were temporary camps scattered all the way from Chilkoot to Haines. There were also permanent villages at Dyea at the mouth of the Skagway River. There was also a ooligan camp around Haines for smoking ooligans in the spring after the first run. This camp was at Tkiyesanka Harbor. Toward the end of May or the beginning of June the people camped and put up ooligans at the 4-mile and 10-mile camps. There was a village and camp at Berners Bay where fish was smoked. We hunted and fished there and gathered berries during the summer. 48/

> "What James Lee said was right. Chilkats claim the land to Berners Bay and straight across from there and on up toward Klukwan, also on up to Skagway and Dyea. Juneau people claim the land below that. They have Berners Bay itself." 49/

That the two communities were not in perfect harmony, however, is indicated by the existence of forts between the two on the Chilkat River.

> "Long ago the ganaxtedi of Klukwan and the Łuqnahadi of Yandestaki had trouble, and they put up a fort at 7-mile Place. My mother and father told me about this. The fort is called Xutaqtiknu or tłaxanasnx. The fort was built by my people." 50/

Despite the common history and essential unity of the Chilkat tribe, present circumstances separate them, both geographically and psychologically. This separation makes it necessary to consider the two peoples as separate groups and to recognize their aboriginal rights separately. However, the free access of one community into territory of the other does not jeopardize this exclusive use for the people of the two communities, sharing a common history and greatly intermarried, have such right under native law.

48/ Statement of James H. Lee (7)
49/ Statement of Charlie James (4)
50/ Statement of Mrs. Patsy Davis (14)

Detailed Analysis of the Klukwan Territory

The Lynn Canal Area

The natives of Klukwan go down the Chilkat River to the Lynn Canal to fish. The Lynn Canal is outside of their own territory and falls within the land used by the people of Haines. The Haines people, however, in recognition of the common history and the interrelated character of the populations, recognized the rights of Klukwan people to use the Lynn Canal territory.

Several witnesses indicate that they fish in the Lynn Canal and in the Chilkat and Chilkoot inlets.51/ The natives of Klukwan also use this territory for other purposes. One witness states:

> "I get seaweed and mussels along the shores from Haines to the Endicott River and across from Haines down to Echo Cove at Berners Bay. My grandfather and my mother's father trapped marten up the Endicott River to the top of Lake Endicott. Their favorite trapping ground was around Lake Endicott because the country north was rougher." 52/

Haines natives recognize the aboriginal use of this territory by Klukwan people. One witness said:

> "Mrs. Jenny Warren of Klukwan has a cabin and garden south of Jones Point on the peninsula." 53/

Another Haines witness states that her father, a Klukwan native, hunted and trapped on the Endicott River on the west bank of the Lynn Canal. 54/

The common interest in the Lynn Canal area appears in the statement made by Gus Klaney at the meeting held to discuss aboriginal rights with the Klukwan natives. This statement was agreed to in all particulars by the other natives who were present at the meeting. Mr. Klaney said:

> "A fish trap was put up by the Pyramid Cannery to which the native people of Klukwan and Haines objected. This must have been about 1890. The natives tried to tear down this trap. Among the native people who took part in the effort to destroy the fish trap were Archie Watson's uncle, Gus Klaney's grandfather, a man named Mathew Johnson, and an older brother of Archie Watson. The Indian people objected to the trap and threatened to cut it down. The cannery men said there would be a man to guard the trap with a gun. Two Indian men, however, got behind the fellow who was on guard and held him with guns while the others tore apart the trap." 55/

51/ Statements of James King, John H. Willard, and Victor Hotch (5,11,3).
52/ Statement of James King (5). This information is corroborated, by Charlie James (4).
53/ Statement of Mrs. Patsy Davis (14).
54/ Statement of Mrs. Sparks (17).
55/ Statement of Gus Klaney (6).

The Chilkat River Below Klukwan

The Klukwan natives fished throughout this section of the Chilkat River in common. Not only was it a source of salmon caught for home consumption, but it was particularly important because in this area the natives could catch the eulachen.

When the Chilkat Indians speak of a dividing line between the Klukwan and the Haines people, they place it about seven miles up the highway from Haines. The best evidence of this point of demarcation is the fact that there were forts on either side of this line. Susie Nasook stated:

> "At 9-Mile Place there was a fort called a.muq'anu which was owned by the Kaqwantan or Klukwan. There was also a fort at 7-Mile called Łuqnaxadi of Yandestaki. Below 13-Mile Place there was a fort owned by the Łuqnaxadi and ganaxtedi together. It lies above the road. It is called t'anu and was a common fort for the Haines and Klukwan people against the villages further south. It was not used in my time, but I have been told about its use." 56/

That the Klukwan natives still consider this point as representing the entry into their territory, was indicated in the statement made by Gus Klaney, at the meeting already mentioned, regarding the efforts of natives to keep the highway from entering the territory. The Klukwan Indians effectively prevented for many years the building of the highway beyond the Seven-Mile Point into Klukwan territory. Mr. Klaney said:

> "When the road was first built from Haines up to Klukwan there were eight men from Klukwan who objected. These Indians stopped construction at Seven-Mile Point. People have said that I am trying to claim the place at Seven-Mile Point, but really I am trying to hold it for the people of Klukwan. The incident over the road went as follows. The chiefs from Klukwan tried to stop the foreman named Shorty accompanied by a group of Klukwan natives. Shorty went back to Haines to file a complaint against the Indians, and Marshal Taylor came and handcuffed the Indians and took them away. The community collected money and fought the matter in court, hiring a white lawyer named Maloney. The Indians were freed after being held by the Commissioner because there was no case. It cost the Indians more than a thousand dollars. After that took place they only built a horse trail beyond Seven-Mile Point until just recently when the Government put in the road." 57/

There are several sites in this area where the natives had and still have "ooligan camps". In the introductory section of this report a picture was presented showing the ooligan camp at the mouth of Kicking Horse River along side a reproduction of a drawing of a similar scene taken from Krause. 58/ The sites of presently used camps were indicated in the following statement:

56/ Statement of Susie Nasook. (8)
57/ Statement of Gus Klaney. (6)
58/ Krause, op. cit.

> "There were in the old days special places where the people of Klukwan went to catch ooligan. The important ooligan camps were at 7-mile place and 9-mile place. These places were used from olden times up to the time when the road was put through and destroyed the camping places. 7-mile camp was called Duquxx.qu and belonged to the ƛuqnchedi clan, which had a fort there. Later this place was turned over to my people, the Ganaxtedi. Occasionally the people from Haines would come up this far, but mostly they went near 4 and 6-mile places. 9-mile place was called A.nuqw and was used mainly for getting ooligans between mid-May and June, but some people would stay longer to spear king salmon and smoke them. This I have seen myself. This place belonged to the Ganaxtedi clan, and I first went there with my mother's sister. In the old days we made shelter out of pieces of yellow cedar bark, but now we use tents and have tent frames at the ooligan camps. At the ooligan camp every family worked for itself, though they would help each other when it was needed. Each family took home its own oil. The importance of the place depended on how the stream was flowing and where the ooligans were running. I remember when there were tents stretched from 6-mile place out beyond 7-mile place——there must have been about a hundred at 7-mile place.
>
> "There used to be an ooligan camp this side of 9-mile place, where a little stream comes down. It was called GiƛkX'ak, and anybody could use it. Probably not been used for forty years." 59/

The streams that enter the Chilkat below Klukwan are not rich in salmon according to native statements. Neither the Kicking Horse River nor the Takhin provided fish though one stream at 13-mile place provided sockeyes before the road destroyed its usefulness. 60/

According to one witness the natives used to plant tobacco on the land where the ooligan camp is on the delta of the Kicking Horse River.

There were two native villages on the Chilkat River below Klukwan. One of these, Yandestaki, is at the site of the present airport at Haines and belongs to Haines territory. The other is 18 miles up the river from Haines and is now called by natives Kluktu. The old reports, however, refer to it as Kutkwtlu (Petrov), Katkwaltu (Krause and Swanton). One witness discusses this village as follows:

59/ Statement of Mary Williams (12). The reference to mileage in this statement and in succeeding statements is to the distance up the road from Haines. This road extends up to Chilkat to the confluence of the Klehini and thence up the Klehini.
60/ Statements of Susie Nasook and Victor Hotch (8,3).

> "There used to be a town at Kluktu, between 18 and 19-mile place, just below Klukwan. This was a small permanent village settled by the ancestors of Jimmy Lee's father, the /uqnahadi clan. They settled there long before I was born. Members of other clans also had houses there. There were large tribal houses there, too. I remember seeing a house of the modern type, but there were also the ruins of a native house at that place. An uncle of Johnny Jack Thlenaut built the American style house at that place; he later dismantled it and set it up at the town near the Haines airport called Yandestaki, and still later took it to Haines, where it has been for at least ten years." 61/

The Klukwan Area.

The present site of Klukwan has been the chief home of the Chilkat Indians, at least since the beginning of American occupation of the territory. It has for some time been set aside as a school reserve. Aside from the village itself there are several uses of the land in the region. The flats and the hillsides are a source of wild berries and vegetables. A form of wild celery which the natives called Yanz'et are found in the hills around Klukwan and between Klukwan and Wells. Another native plant, wild potatoes, (apparently a form of fern) were gathered in this area in June. Wild rhubarb is also found in this region.

There are a number of cemeteries around the village: one behind the school, another west of the village, and third below the road on the east end the village. On Klukwan Hill there is a grave of an Indian doctor. 62/

Across the river from Klukwan where the Tsirku River enters there is an old camping place called Tayeyi. Tayeyi was a fish camp used chiefly during the summer months by all the natives of Klukwan together. Some of the people live there the year round and the Ganaxtedi clan had a permanent house there. This house was abandoned more than 50 years ago but the people still use the area. 63/

Tsirku River and Chilkat Lake.

The Klukwan natives utilize the full length of the Tsirku River as far up as the Glacier. They also use the shores of the Chilkat Lake and the streams which enter into that Lake. Mary Williams describes the use of two sites on the upper portion of the Tsirku River in the following terms:

61/ Statement of Mary Williams (12).
62/ Statement of Susie Nasook (8).
63/ Statement of Charlie James (4).

> "At the Takhin Glacier in the upper portion of the Tsirku River two days by canoe there was a berrying place called Dakenxukwa. This could also be reached by way of the Takhin River, and the Haines people sometimes come up this way. This place belonged to the Kagwantan clan. We gathered mountain blueberries and other berries there. Helen Hotch went up there with her father when she was a girl of less than ten (about 40 years ago). Our people haven't gone up there recently because it is too hard to get to by canoe.
>
> "The next place down the Tsirku River is called Qatxalqiya, between the confluence of Summit Creek and of Nugget Creek with the Tsirku. Berries and gophers were obtained from both sides of the Tsirku here. The Kagwantan were recognized as owners but others went there. I only went there one time about 30 years ago. Mr. and Mrs. Kudanaha went up there frequently before his death about 15 years ago. Don't know of anyone going up there recently. At a place on the Tsirku River where two cliffs come together is a place called Iyiq'aq, which was used as a camping place and where a berry called Tinix, soap berries and blueberries were obtained. This was also a good place for mountain goats. It belonged to the whole Klukwan people." [64]

Nugget Creek flows into the Tsirku. From its banks the natives obtain cranberries and in the region they hunted goats and ground hogs. These latter were used for meat and their furs were used to make robes. The natives do not use this area much except for trapping, at the present time. [65]

The southern shore of Chilkat Lake belonged to the Kagwantan clan. In this place there was a stream called Anwen. There are smoke houses in this area on the lake. [66] The use of Chilkat Lake in modern times was discussed as follows:

> "We fished and trapped on and around Chilkat lake. There was a good fishing place on the far shore near a little stream called anwen by the Klukwan people. The old people have told me that there used to be a village there where we smoked fish. Everybody goes up there now — that is all the Klukwan people — but they have told me it belonged to the Kagwantan clan. Got humpy-sockeyes there. When my father was still living we hunted bear up there. I trapped there December of 1944, but not last year. I think George Katzeek of Klukwan was up there last winter running a trapline. Hunted coyotes on the flats last winter. There is another place at the upper end of the lake called gataq'aiyin where the humpy sockeye could be caught. We

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[64] Statement of Mary Williams (12).

[65] Statement of Victor Hotch (3).

[66] Statements of Susie Nasook and Charlie James (8, 4).

> "a good place for bear, too. Last time I was there was three years ago. At the lower end of Chilkat Lake is a place called cekqwesq'I. I haven't been to that place for about seven years. Another place on the lower end, on the side toward Klukwan was a place that Tom Lee held; a trout stream called q'etahini where humpy and cut-throat trout can be had. I don't know which clan owned that, but I have fished there." 67/

Another witness discussing the use of the lake itself said: "The Lake is like a common table but it was understood that certain streams were owned by certain clans though the owner would invite others to join him." 68/

The lake region afforded the natives fish, berries, and fur and meat animals from early times to the present.

Klehini River.

The natives of Klukwan went up the Klehini River in canoes as far as Porcupine Creek. Their last camp, which was regularly used, was at 40-Mile Place, which is right on the Canadian border. In olden times the natives continued up the river along what is now known as the Dawson Pass into the interior, in order to trade with the interior Indians. At the confluence of the Klehini with the Chilkat there is a fish camp to which the natives regularly go to dry their fish. There are a number of racks for drying fish at this place. It is owned by the Takƛanedi clan. At the present time a native woman married to a white man is living in this area. 69/ On up the Klehini River on the south shore at 26-Mile Place there is an important berrying area. It was described as follows:

> "Across 26-mile place is Gaiqudi, belonging to Kagwantan. I never went there but saw others go up there in boats when I was picking at the place just beyond it. Mrs. Willie Lee and her former husband berried there. Haven't used that area in recent years because it is hard to get to." 70/

Somewhat further up there were other berrying places. Mrs. Williams describes these as follows:

> "Across from 27-mile place was known as DaqaXiƛ'iya. Here I used to pick berries. I went there when I was a young girl with anybody who might be going. It belonged to Cankukedi clan but everybody went there in later years for berries. Trapping was reserved for the owning family, however.
>
> "Just below this place, also across the river from the road was a place called Di.kodinya where berries were obtained. It is now homesteaded by Albert Chisel who has built a cabin

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67/ Statement of Victor Hotch (3).
68/ Statement of Susie Nasook (8).
69/ Statement of Charlie James (4).
70/ Statement of Mary Williams (12).

> there. I went there as a young girl, hiking up and coming back with berries in canoes. I used to camp there about two weeks and pick many cranberries in order to trade them with other Indians. Lately we gather them only for our own use. We still go there for berries; I don't go there now because I'm too old, but the Klaneys and Mrs. Willard went last year. I don't know what clan claims the place." 71/

Another witness indicated that logs for making canoes were obtained in this area. There is also a stream here from which natives get cohoes and dog-salmon. 72/ According to another witness James King, a Klukwan native, inherited a place near the 27-Mile Point on the south bank of the Klehini and he has a cabin here. This is used by himself and his fellow clan members. 73/ Another mile up the river a berrying ground is described as follows:

> "At 28-mile place on the Klehini River there was a place called Si.tXayeq where we went for high bush cranberries. I went there myself both before and after I was married; it was an area that all the people used -- that is, all the people from Klukwan and even some of the people from Haines, though these did not go up there so much. Recently a homesteader there by the name of Mr. Holder ran us off when we were gathering berries." 74/.

At 30-mile place on the highway a stream enters the Klehini which is known as Big Boulder Creek or Yakook Creek. This stream has always been rich in cohoes, chums, and king salmon, and the natives go here to get fish. At this place there is also an area covered with highbush cranberries and mountain blueberries. This area has however, been homesteaded by a white man named Forrest Young in recent years and he does not permit the Indians to use this land. 75/

Two miles further up the Klehini the Porcupine Creek enters it from the south. There is now a mine on Porcupine Creek. It has, however, from time immemorial been an important place for the natives of Klukwan. It was the highest camp site to which the natives could get by canoe. This place was described as follows:

> "At the present site of Porcupine we used to get blueberries. There is now a mine there, but we continue to go there. People from Klukwan went up there last fall during the berry season. The old name for this place is Xaqatchini or Xaquhini. In the old days this place was settled by somebody from the Raven side but in her time everybody was going there. My Mother told me about this place when they started the mine there." 76/

71/ Statement of Mary Williams (12).
72/ Statement of Susie Nasook (8).
73/ Statement of Archie Watson (10).
74/ Statement of Mary Williams (12).
75/ Statements of James King and Mary Williams (5, 12).
/ Statement of Mary Williams (12).

The last site of importance to the Klukwan people was at 40-Mile Place on the Klehini where they gather cranberries and blueberries. 77/

The Chilkat River above the Klehini.

It has already been noted that the point of confluence of the Klehini and the Chilkat was used as a camp by the Klukwan natives, for drawing fish. While field work was in progress one native family was building a house near this place. The natives have long had fish racks here.

The fish place above the confluence of the two rivers that is of special importance to the natives is Mosquito Lake which is called Xunta'a. It is on the west bank of the river. At Mosquito Lake the natives fished for various kinds of salmon, trapped and hunted mountain goats. They occasionally spent the winter at this place. 78/

A short way above Mosquito Lake a small stream enters the Chilkat. This is sometimes called Bear Creek and sometimes Yeλhini. This stream enters from the west. Along its banks natives hunted and trapped for goats, marten, mink, fox, lynx, and wolverine. This site is also a source of cranberries. Mary Williams describes it as follows:

> "At the confluence of Bear Creek and the Chilkat River at a place called Na.kiniq I picked cranberries up to the time my husband died about nine years ago. Gus Klaney of Klukwan and his wife go up there still. I first went there with my uncle when I was about 14 years old. We usually go there in the fall. During my time all the people had the use of that place, but my great great grandfather, named Ankengeh, had exclusive use of it in his time." 79/

Another witness stated that Johnny Shorty has a cabin at the mouth of the Yeλhini which he uses for trapping. This place was handed down to John Shorty from his uncles who were members of the Ganaxtewi clan. Mr. Shorty also goes up this creek to gather berries, to catch cohoes and king salmon, and to secure wood for houses and canoes. 80/

A short way above Yeλhini was another site called Tsekhini. This place is a source of sockeye and cohoe salmon. It is particularly important because the salmon run very late in the year and fresh fish can be obtained until New Year's. 81/ James King stated that there were smokehouses and living cabins at this place. 82/

The Kelsall River was utilized as hunting and trapping territory by the Klukwan natives. Concerning this place James King said:

77/ Statements of Susie Nasook and Mary Williams (8, 12).

78/ Statements of Susie Nasook and Archie Watson (8, 10)

79/ Statement of Mary Williams (12).

/ Statement of Charlie James (4). The purchase of a cabin by Johnny Shorty was corroborated by Victor Hotch and John H. Willard.

81/ Statement of Susie Nasook (8)

82/ Statement of James King (5). John H. Willard indicates that one cabin there was the property of William Johnson, Klukwan native.

> "My grandfather had a cabin at the mouth of the Kelsall and Chilkat Rivers. His grandfather and brothers-in-law hunted up these rivers. Now all the people of Klukwan can use these rivers like one family, whether Eagle or Raven." 83/

Another native indicated that of three cabins which were formerly at the mouth of the Kelsall River, only one now remains. He continues:

> "Up the Kellsall River we have our hunting ground. This belongs to the whole people. John Shorty has a cabin in this area now, and he has a trap line along the Kellsall. The last time he used it was about three years ago when the area was closed to trapping." 84/

The Klukwan people continue above the Kelsall on the Chilkat as far as the Canadian boundary. Formerly they utilized this pass into the interior. But it was considered more difficult than the pass at the Klehini. For the most part the natives did not go above the falls where the trail became very steep and difficult. This entire northern stretch of the river was used as hunting and trapping territory. It was the major source of mountain goats. One witness reports that there is a trapping cabin at the confluence of the Tahini with the Chilkat River. And another one across the Chilkat from the mouth of the Tahini. He also has noted a third cabin, but only two of these have been used in the last year or two. 85/ Another witness reports that the natives went as far as the Tahini seeking berries. 86/

83/ Statement of James King (5).
84/ Statement of Victor Hotch (3).
85/ Statement of James King (5).
86/ Statement of Archie Watson (10).

Detailed Analysis of the Haines Territory

Taiya Inlet

According to old accounts there were villages both at Dyea and at Skagway. Those villages appear to have been summer camps, though it is possible some people used them the year around. There are a few natives presently living in these communities, but they are not considered native villages in the sense that the Haines natives constitute such a village. One witness describes the area as follows:

> "Dyea and Skagway are claimed by my people. There are three streams at Dyea, and there were three smokehouses there. The people did not live there the year around but used the place a great deal. All three of these smokehouses were owned by Łuqnaxadi people. They controlled a large area of land. This place was used for berries as well as for smoking fish. The Indian people also hunted there and smoked meat. They generally went up there in the fall of the year. Some of the people would go up to pick berries and then rush back to Chilkoot to put them up. During the hunting season, however, they staid up there a long time. We used to get seals at Skagway when I was a boy. I remember one man who lived there the year around because things were easy to get. This man was related to my father. He would hunt seals in the fall. He hunted up the Skagway River. There was a big smokehouse on an island up the Skagway River where a stream comes in from the southeast. This place was called qat'hini (trout stream). This was a good place to get mountain goats. The Skagway area belongs to the kagwantan clan.
>
> "Below Skagway there is a big falls called guikagexas. There was a house there where the people of the Łuqnaxadi clan would spend the night. There was also a smokehouse for the preliminary drying of meat. They would also go up above the falls to a lake." 87/

This witness also indicated that Dyea was a source of cottonwood timber for making canoes and that he himself with his father had obtained wood from this area.

Another witness stated that one native is living at Skagway and has a smokehouse at Dyea which he inherited from his father. 88/

87/ Statement of Paddy Goenette (15).

88/ Statement of Mrs. Patsy Davis (14).

Taiyasanka Harbor

Taiyasanka Harbor is a source of fish and goats. One Haines native, James Thlanaut (or Klanat) was reported by witnesses as having a cabin and smokehouse there which he has used within the past two years. 89/

Chilkoot Lake Area

One of the major villages of the Haines people was situated at the lower end of Chilkoot Lake. It is from this location that the Indians of this community get the name of Chilkoot by which they are sometimes distinguished from their Klukwan neighbors. The use of the Chilkoot area was described in detail by the witness, Paddy Goenette. He reported that when he was a boy, which means nearly 80 years ago, there were 30 houses at Chilkoot Village. Across the river from the village was a graveyard which belonged to the luqnaxadi clan. The fences around the graves are still to be seen. Chilkoot Village is still used as a summer camp. This same witness states that he goes there every summer to smoke fish and that other natives likewise use the cabins and the smokehouses there. He states that there are 10 smokehouses at Chilkoot at the present time, and that while he has not smoked fish there for three years, he has visited the place and gone fishing there since that time. 90/

The Chilkoot Village is now used also as a camp for getting ooligans which are available there in May. Needle fish are also caught and dried in long strings in this vicinity. Spruce wood for building houses and for fuel, and both spruce and cottonwood for making canoeswere obtained on the hillside above Chilkoot Village.

The Haines natives go up above Chilkoot on the lake and the river above the lake as far as the falls. At the falls they had a camp which was used for hunting, and here they would smoke their goat and bear meat. There were caves at this location which were used for shelter. According to native legend, a tribal ancestor of the Łuqnaxadi was the first to settle at this place. Concerning the continued use of the Chilkoot Lake area for hunting, berrying, fishing, and trapping, and concerning the exclusion of outsiders from this area witnesses stated:

> "Summer before last I smoked fish at Chilkoot, hunted and gathered berries there. Occasionally whites come up there to hunt bear. About 10 years ago several whites built a log cabin on Chilkoot lake. I reported this to the U. S. Commissioner and told him that they did not have the permission of the Indians to build on Chilkoot Lake. The Game Commissioner saw to it that they did not continue at this place. Jack David and Johnny Marks trapped at Chilkoot Lake last year. In recent years most of our hunting and fishing has been at Chilkoot. 91/

89/ Statements of Paddy Goenette and Mrs. Patsy Davis (15, 14).
90/ Statement of Paddy Goenette (15).
91/ Statement of Paddy Goenette (15).

> "There is a smokehouse which belonged to my mother at Chilkoot. Bert Dennis of Skagway, James Klanott of Haines, and Jack David use this smokehouse. They go there in the fall. Patty Goenette has a place, but I believe it has been a year since he has smoked fish there. About two years ago I went there with my husband in the fall for mumpies. My husband, Patsy Davis, used to hunt goats with Patty Goenette, Jack David, and Johnny Mark Thlenaut. They hunted there last winter for seal.
>
> "We used to get oolikans in February and March at Chilkoot. Last spring Jack David went up there and took the teacher, Joe Hamilton, with him. Up to 1940 James Thlenaut and his family dried ooligans there, and Patty Goenette is the most constant user of the Chilkoot area." 92/

At one time there was a smokehouse at the head of Chilkoot Lake at the mouth of a little stream, but this is now gone. Patty Goenette himself built a cabin in this area when he was attempting to develop a gold claim.

Yarik Peninsula

The tongue of land extending from Tlegu Beach to Seduction Point was intensively used by the Chilkoot people. There were in this area at least three villages, Tanani, Yandestaki (Gantegastaki of the International Boundary map), and Haines. Concerning Tanani, Goenette stated:

> "There was also a big village at Tanani Point which was cleaned out by an epidemic. The village was called t'ana.ni and there were four houses there in my time." 93/

The beach from here down around Nukdik Point near Haines is regularly used by the natives. The use of this area was described by one witness as follows:

> "I have a smokehouse just below Nukdik Point. I use it all the time for smoking ooligans, sockeyes, dog salmon." 94/

There was formerly a village at the present site of Haines. This village was gone 80 years ago, but its remains could then be seen. The village is reported in Swanton. The site of the present army post held a stand of trees including hemlock. The natives use hemlock bark as food, scraping the inner fibers which they either eat fresh or dried. The Haines area was protected by a fort on a point along the east coast. 95/ There was a cemetery on the Chilkat side on what is presently army land. 96/

92/ Statement of Mrs. Patsy Davis (14).
93/ Statement of Paddy Goenette (15)
94/ Statement of Mrs. Patsy Davis (14).
95/ Statement of Paddy Goenette (15).
96/ Statement of Mrs. Mildred Sparks (17).

Battery Point was formerly an important source of tideland foods, especially seaweed. There is a fox farm at this place now which prevents its being used. The natives of Haines, however, use all portions of the beach on both sides of the peninsula where access is possible and not prevented by private ownership. The Chilkat Islands lying off Seduction Point are sealing grounds which are still used. This area is also used for trolling, and Jack David, a native of Haines, was reported as having hunted seals and fished for halibut in that area during the past year.[97] On the west side of the peninsula, about at tide-water mark and at the site of the present airport, was the village of Yandestaki. Some old tribal houses are still standing and there are cemeteries in the neighborhood. The village itself was settled by both the kagwantan and ƛuqnaxadi, which are the two major clans of the community.

East Coast of Lynn Canal

The whole area from Skagway southward was used for hunting and trapping. Most of this area is very rugged and difficult of access, and for that reason there are few possible locations for cabins or smokehouses. The major stream on this east shore is the Katzehin.

> "The Katzehin River was claimed by the ƛuqnahadi clan. From this place they obtained cranberries, goat, cohoes, and salmon trout. They had a big log building at the mouth of the river which they used for headquarters when they went hunting. They would go up the river about 4 miles. I used to trap in this area for marten, wolverine, and lynx. I also hunted goat there ....
>
> "There are two log cabins for hunting goats and bear on the upper side near the mouth of the Katzehin River. These are owned by ƛuqnahadi natives from Haines. I used to hunt but have not been hunting there for a long time and haven't seen anyone hunting there recently." [98]

This statement was corroborated in part by Mrs. Patsy Davis who reported a cabin on the Katzehin and also indicated that she had gathered crabs along the beach there about five years ago. The natives continue their trapping operations southward from Katzehin where they get marten, wolverine, lynx, and goats. It is generally agreed that the natives go as far as Berners Bay and do not include Berners Bay in their territory. Gounette indicated, however, that at one time this bay was included, and Davidson includes the Berners River and Lace River area as part of the territory owned by Chilkat families. [99]

West Coast of Lynn Canal and Sullivan Island

On the West coast of Lynn Canal there are three major sites utilized by natives of Haines. These are the Endicott River, Sullivan Island, and Pyramid Harbor. Endicott River was used jointly by Klukwan and Haines natives. Mrs. Sparks describes her use of the area as follows:

"I used to spend the winter months with my father, who is a

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[97] Statement of Tom Johnson (16).

[98] Statement of Paddy Gounette (15).

[99] Davidson, op. cit.

[illegible] Klukwan native, on the Endicott River where we would hunt and trap for mink, lynx and other animals. This was when I was a little girl. My father was a member of the kagwantan clan. I never went there since I got married, but my brothers continued to trap there until my father died nine years ago. My uncle, Charlie Jackson goes there, and Patty Goenette has a cabin there." 100/

Mrs. Patsy Davis also used the Endicott River when she was a girl:

"We used to trap along the shore from the Endicott River up to Berner Point when my father was still alive. We hunted from the Endicott River to Glacier Point for goat, seal, and bear, and gathered berries. We have a house in this area now. The Endicott River belonged to the kagwantan. When I was a girl we worked the area together, but now the people have taken up homesteads." 101/

Paddy Goenette describes the use of Sullivan Island where he has a cabin: "Sullivan Island was formerly the property of Jack David's father who was born there. He was a member of the kagwantan clan.—

"I have a cabin on Sullivan Island River. I have papers on this place. We used to gather cockles and mussels all the way from Sullivan Island to the mouth of the Chilkat River. We also got ribbon seaweed in this area.—

"Jack David's father has a log house at the southern end of Sullivan Island on a little cove. He uses this for hunting seal, bear and other animals. I hunted there up to five or six years ago. I buy seals from Jack David and he tells me that they hunt there all the time." 102/

Mrs. Davis has also used the Sullivan Island area which she describes in some detail:

"My father trapped at Sullivan Island River at a place called tasakutck'anchin. From the time I can remember we went there every winter until my father died about 1918. We had a homestead which has been willed to Jack David. We also spent summers at this place to smoke fish and gather berries.—

"The lower end of Sullivan Island on the west side is called saqutaq'anchin and also is a source of ribbon seaweed, cockles and crabs. Halibut were obtained between Sullivan Island and the west shore of Lynn Canal. I was there last about two years ago, but Jack David and his family were there since then. My father's people claimed this area, and we have been using it up to the present time. David and Patty Goenette have adjoining homesteads in this area." 103/

100/ Statement of Mrs. Mildred Sparks (17).
101/ Statement of Mrs. Patsy Davis (14).
102/ Statement of Paddy Goenette (15)
103/ Statement of Mrs. Patsy Davis (14).

Pyramid Harbor contimues to be used by Haines natives. The Indians have taken up homesteads in this area. Pyramid Harbor has been used by the natives from time immemorial, but for a while there was a cannery at this site. It was at this cannery that the natives endeavored to destroy the fish trap in about 1880. Concerning the modern use of Pyramid Harbor, Mrs. Davis stated:

> "We used to set nets at Pyramid Harbor and spend the summer there. My husband and I have a cabin one mile below Pyramid Harbor, and we plan to go there this summer to fish. Mrs. Jennie Warren of Klukwan has a cabin and garden south of Jones Point on the peninsula. The house has now been blocked by road work. I saw the cabin there three years ago while picking berries. Mrs. Warren has had this place for a long time. John Benson who died a few years ago had a cabin at Jones Point, but it is probably gone now." 104/

The beaches of Lynn Canal both on the west and east shores were a source of many kinds of food, particularly of ribbon and black seaweed and crabs. Along the shores berries and other wild vegetable foods, such as "Indian rice" and "goose tongues" were secured.

Chilkat River Area

Just as the natives of Klukwan come down into the Lynn Canal after tain types of food, so the natives of Haines also utilize the Chilkat River: As one witness stated, it is hard to determine the line between Haines and Klukwan because the same clans are in both communities. Frequently natives spoke of using the Chilkat River, but when they did so it was generally clear that they were closely related to the Klukwan people. It is not necessary here to go into a detailed discussion of the native uses of this area, but it should be mentioned that both Mrs. Sparks and Tom Johnson discussed in some detail the places that they hunted and fished within the Chilkat territory.

104/ Statement of Mrs. Patsy Davis (14). This statement was corroborated in part by that of Tom Johnson (16.)

POSSESSORY RIGHTS OF THE CHILKAT AND CHILKOOT NATIVES

[illegible]

e Klukwan natives continue to use and occupy all the lands falling with- le boundary of their territory and lying within Alaska Territory. They have doned only that portion of their former area which belongs to Canada, and ose homesteads or other private property rights which have been recognized e United States Government, and then only at the insistence of the owner. atures and permanent camps throughout the territory testify to the continued e of the entire area. The uses to which these lands have been put are those h the natives made prior to American possession of Alaska, and the old pat- s of ownership continue to be recognized.

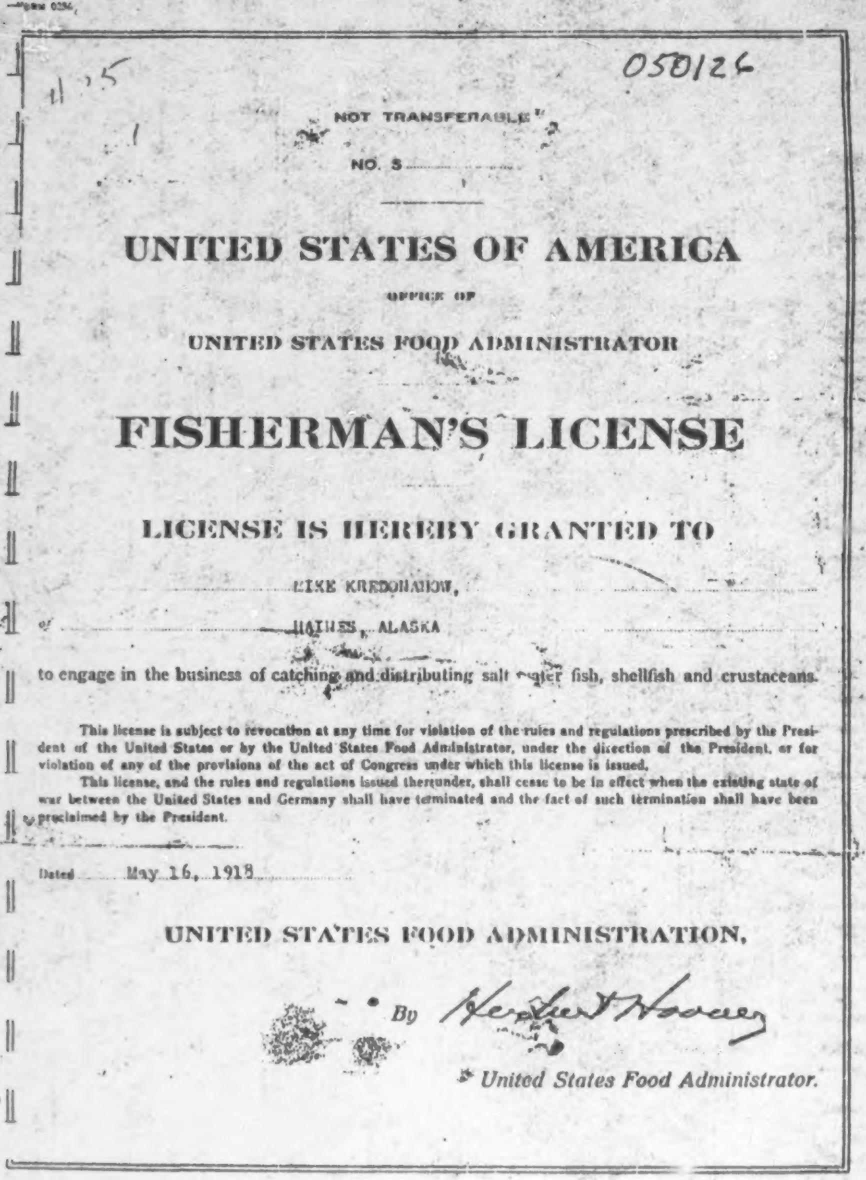
The Klukwan natives exclusively use the west bank of the Chilkat River from below the mouth of Kicking Horse Creek northward to the confluence of the ehini, and the east bank from above the old village of Kluktu to the mouth of e Klehini. This area embraces the Chilkat Lake area and includes the tribut- streams and the upland area which is used for hunting and trapping. These ives also use both banks of the Chilkat River northward from the Klehini nfluence to the Canadian border. The occasional entrance of whites into this to trap for a single season cannot be considered joint use.

The east bank of the Chilkat River southward from Kluktu village site and Klehini River from its mouth northward continue to be used by the natives, the existence of an improved road has brought many outsiders into the area d, except for certain places which continue to be in the possession of native ppers, and other homesteaded areas, this portion of the Klukwan territory s to be jointly used.

The Klukwan natives also continue to use, as they did prior to the intro- ion of whites, territory belonging to the closely related Chilkoot or Haines ople, especially the area around the mouth of the Chilkat River and the west ore of Lynn Canal.

The Chilkoot or Haines natives have shared a large portion of their ter- itory with outsiders. The area to which continuous and exclusive use has been since the time of American acquisition of Alaska is largely confined to the bee River and Chilkoot River, and the shores of Tayasanka Harbor and Chil- oot Inlet. Rights to small areas are held up the Taiya Inlet, where one native a smokehouse, on Chilkat Inlet at the site of Yandestake village and the ceme- there, on Shelter Island, where there is a native's cabin on the mouth of dicott River, and at Pyramid Harbor; also at the mouth of the Katzehin River.

The area known as Haines (except where their own houses are located along e waterfront), and the Skagway area seem no longer used and occupied by the ilkoots. The remainder of the territory continues to be used by the Haines ives for hunting, trapping, fishing and for gathering wild fruits and veget- les, both for their home use and for commercial sale. Shellfish, crabs, In- ian rice, wild rhubarb, seaweed and other food are gathered at many beaches.



Form 0234

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NOT TRANSFERABLE

NO. S

UNITED STATES OF AMERICA

OFFICE OF

UNITED STATES FOOD ADMINISTRATOR

FISHERMAN'S LICENSE

LICENSE IS HEREBY GRANTED TO

MIKE KREDONATOW,

of HAINES, ALASKA

to engage in the business of catching and distributing salt water fish, shellfish and crustaceans.

This license is subject to revocation at any time for violation of the rules and regulations prescribed by the President of the United States or by the United States Food Administrator, under the direction of the President, or for violation of any of the provisions of the act of Congress under which this license is issued.

This license, and the rules and regulations issued thereunder, shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated and the fact of such termination shall have been proclaimed by the President.

Dated May 16, 1918

UNITED STATES FOOD ADMINISTRATION,

By Herbert Hoover

United States Food Administrator.

United States of America

THE DISTRICT OF ALASKA

To all to whom [illegible]ents shall come, Greeting:

Know Ye, That reposing special trust and confidence in the loyalty, integrity and ability of Kausty, I, Lyman E. Knapp Governor of the District of Alaska, by the authority in me vested by the Constitution and Laws of the United States, do hereby

APPOINT AND COMMISSION

Him, the said Kausty Private of Indian Police for Pyramid Harbor and vicinity under the laws of the District, and I authorize him to discharge, according to law, the duties of said office, and to hold and enjoy the same, together with all the powers, privileges and emoluments thereunto appertaining, for the term of one year. He will report for instructions to Officer Nathaniel Jones and Deputy Marshal J J Healy.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the District of Alaska. Done at Sitka, this first day of February in the year of our Lord, One Thousand Eight Hundred and Ninety One

Lyman E. Knapp

By the Governor

N. R. Peckinpaugh
Secretary

Tlingit Name is Ka-sook-Tee
This record belongs to Steve Hotch
Klukwan, Alaska

Pyramid Harbor Alaska July 22nd 1897

This agreement made and entered into this [illegible] day of July by
and between The Alaska Packers Association of Pyramid Harbor Alaska
party of the first part. And Kotowat head man of the Chilkat
Indians parties of the second part, all of Alaska.
To wit: the party of the first part agrees to buy the entire catch of
Salmon for the present year of 1897 paying for same [illegible]
per thousand for all full sized red fish [illegible] delivered at their
Steamer or Scow at the Little Harbor. Salmon to be headed [illegible]
be received. Any Salmon not full sized two will be counted as one.
Payment for Salmon will be made at the office of the Alaska Packers Ass
at Pyramid Harbor Cannery at end of fishing season of 1897. Payments
will be in Cash: U.S. Gold Coin (Tickets or trade will not be paid.)
The party of the first part further agrees to pay to the aforesaid Kotowat
a royalty of [illegible] One Dollar per thousand Salmon on the entire catch of
the Chilkat Indians payable at end of fishing season.
The party of the second part agrees for himself and for all his people
to work faithfully & diligently to the end of the present fishing season
or until such time as party of the first part may require their services.
In the event of any accident to the Steamer Lillian whereby the [illegible]
be disabled and not able to run up to the Little Harbor said party of the
second part agrees to bring their Salmon to the Cannery until
such time as Steamer Lillian would be in running order. On the
event of the Cannery being burnt down or destroyed by any cause
this agreement will cease and be no longer in force.
The party of the first part reserves the right to reject all or any
Salmon not in proper condition for Canning purposes.
It is mutually agreed by both parties to this agreement that the party of
the first part will deposit with Mr Royce of Haines Mission a
copy of this agreement he to be the arbitrator in any dispute and
see that all parties to this agreement faithfully & honestly fulfill
their several parts.
In Witness whereof we have set our hands and seal this day
and year as above written each of the respective parties here
having a copy.

Alaska Packers Association (Seal)
by Hugh Murray Supt.
Kotowat his mark (Seal)
by [illegible]

Witness
Franklin H. Royce
[illegible]

the Honorable Wayne Aspinall, Chairman, Interior and Insular Com ttee, House of Representatives. The Honorable Henry M. Jac on, Chairman, Interior and Insular Affairs Committee, United tea Senate and the Honorable Walter J. Hickel, Secretary of Interior.

WHEREAS, the Chilkat Indian Village is a Federal Indian rtered organization as provided for by the Indian Reorganization Act of May 1, 1936, and under its charter and constitution nd by-laws has full power and authority to transact business behalf of the residents of Klukwan; and

WHEREAS, the Chilkat Indian Reserve was first established xecutive Order No. 1764, April 21, 1913; and

WHEREAS, we have used these lands continuously and have se the lands since time immemorial for dwellings, hunting, ing, wood gathering, and berry picking; and

WHEREAS, the Chilkat Indian Reserve is known to have valuable ral deposits having had them under lease in the past to U.S. l; and

WHEREAS, the Chilkat Indian Village is now advertising its rals for mining purposes, iron and associated minerals; and

WHEREAS, the Alaska Native Land Claims legislation, if would terminate the reservation of the Chilkat Indian as a part of the final settlement; and

WHEREAS, we the residents of the Chilkat Indian Village (Kl kwan) were never apprised of this condition and we do not ree with the policy; and

WHEREAS, it is the expressed policy of the present administation to "oppose termination" this policy having been expressed Richard Nixon as a candidate for President of the United s in an appearance before the National Congress of American dans in 1968, and repeated by Vice President Spiro Agnew to e same organization in Albuquerque, New Mexico, October 8, 6 and

WHEREAS, it is abhorrent to the American conscience to act i terally in depriving Indians of their lands in the manner sed in the Alaska Native Land Claims legislation; now

THEREFORE BE IT RESOLVED, that we the undersigned members e Chilkat Indian Reserve respectfully request the Chilkat n Village reservation be excluded from the provisions of VOCATION OF RESERVATIONS section of the various proposed lation for settlement of Alaska Native Land Claims:

[illegible]
S AND MOUNTAINS OF THE CHILKAHT TO TH E
IKON DRAWN BY THE CHILKAT CHIEF, KOHKLUX, IN 1869.
INT FROM "MAZAMA", APRIL, 1901

Explanation of an Indian Map

OF THE RIVERS, LAKES, TRAILS AND MOUNTAINS FROM THE CHILKAHT TO THE YUKON DRAWN BY THE CHILKAHT CHIEF, KOHKLUX, IN 1869.

George Davidson, Ph. D., Sc. D.
University of California.

Fifteen years ago that region of Alaska and Canada lying between the coast, under the St. Elias and Yakutat ranges, and the Yukon River; and between the Chilkaht and Lewes Rivers on the east, and the White River on the west, was a terra incognita. It covered an area of about 50.000 square miles, and was drained by unknown tributaries of the White, Yukon and Lewes Rivers; by the Chilkaht and the All-segh'; and the large Katch-kwae-wugh' and the Kaskar Wurlch. It contained numerous large lakes first made known to us in 1869.

At a location on the north bend of the All-segh', where the line of Indian travel was comparatively easy towards the west, north, east and southeast, a yearly meeting of different tribes took place for purposes of traffic between the interior Indians and the Chilkahts, who were strong enough to control the coast traffic.

A very large part of the above territory is drained into the Pacific by the river known on the coast as the All-segh', which breaks through the St. Elias and Yakutat ranges about fifty-five miles east of Yakutat Bay, with a maximum current of ten miles.

As a matter of fact, the whole area of Alaska and the Northwest Territory of Canada was unknown except along the river courses; and even these were very imperfectly laid down. We have now partial reports and maps from modern travelers, as Raymond, Dall, Russell, McGrath, Turner, Allen, Abercrombie, Krause, Schwatka, Wells, Glave and others; and from Dawson, Ogilvie, McConnell and others, for the Canadian Government. Of those who earlier struck into the unknown region we have mentioned were Wells and Glave, but they were not properly outfitted with instrumental means for geographical determinations.

It happened that upon our second trip to Alaska we obtained material that was important in laying down two routes from our station on the Chilkaht to Fort Selkirk, at the junction of the Pelly and Lewes, where they form the Yukon, and we now propose to present an abstract of what we then learned, and collate it with later investigations. It will reconcile names, and point to an interesting region for exploration.

In 1869 we made the trip up the Chilkaht to observe the total solar eclipse of August 7. At Sitka, through the kind offices of the military commander, General Jefferson C. Davis, we were brought face to face with Kohklux', the famous chief of the Chilkahts, then held in durance for some petty offence. He certainly was not in a friendly mood, because some of his people had been shot down by the guard when trying to escape from custody. This chief was a man of commanding presence, nearly six feet high, broad chest, and a well-formed head that measured twenty-four inches in circumference. He carried a bullet-hole in his cheek. He was held to be the greatest warrior and diplomat of all the tribes north and west of the Stak-heen. In our future relations we found him truthful and absolutely honest. With all the instruments, tools, camp equipage, stores, carried and handled by his people, we never lost a single article during our stay at his strong village. For the release of his people by General Davis he promised us assistance and protection wherever we chose a station; and he fulfilled in spirit and letter every promise, and our every wish was attended to.

We selected the village of Klu-kwan', in 59 deg. 25 min., for the observations, and, fortunately, we were enabled to use our Chinook jargon with the two wives of Kohklux; and in our interviews we learned that he had projected and carried out the destruction of the Hudson's Bay Company's station at Fort Selkirk on the 21st of August, 1852, because they had dared to interfere with his traffic with the Tahk-heesh and other interior Indians. This fact was unknown to the Canadians until we communicated it to Land Commissioner Ogilvie, in 1897.

At his own suggestion Kohklux proposed to draw upon paper his route to and from Fort Selkirk. The second attempt was upon a large sheet, 43x27 inches. The operation cost him and his two wives two or three days' labor with pencil and no rubber. It lacked names and days of travel on the different parts of the route to and the second route from Selkirk. It began at Point Seduction, in Lynn Canal, with islands, streams and lakes; and with mountains in profile. Under their direction we applied the names to all important positions and objects, and they number over 100. They were subsequently verified: and it was a great astonishment to them that we could announce to them the names they had given, and he begged to know how we did it.

With these few preliminary remarks of an interesting experience, we propose to follow Kohklux, his wives and warriors, from Klukwan to the Tat-sae-heen'-a, below Fort Selkirk; premising that een, eena, heen, heen-a, or any other form with een, refers to a fresh-water stream.

In July the party started along the main Chilkaht, or Yagh-heen'-a, and continued for about fifteen miles northward to the first large tributary coming in from the northeastward. They followed this stream three days to the falls or rapids, Yough-ya-koon, thence two days to the glacier in the divide of the Kotusk Mountains. He gives details of tributaries and mountains.

The great glacier which he crossed comes in from the eastward, between two large mountain masses. The eastern mountain is double-peaked, and named Tchu-'kit'-lee. Beyond the glacier to the northeastward he starts a stream that flows northeast and then northwest, with several small lakes on its course, and finally enters the Lake Arkell, beyond the Gull-egg Islands. He names the river Tagish' (hard "g"). At its mouth he marks a cache and an Indian trail towards the east. He did not follow this stream, but the one that leads to Lake Maud from another glacier, or a branch of the large one. He was two days crossing the glacier region, and apparently followed the east shore of Lake Maud, or Sur-guae-ae-ta'. He notes small tributaries and lakes; and on the east marks a great snow mountain, Hoo-tchae-siti. He was one day following the Sur-kwak-ae-waht-heen-a, that connects Lake Maud with Lake Arkell a few miles north of its southern extremity. Lake Arkell he names Koo-see-wagh' or Koo-soo-wagh', and it required three days to traverse. He notes and names the Gull-egg Islets, and the cache he left at the mouth of the Ta-gish', or Hahk-heesh, on the eastern shore. The eastern branch of this stream Kohklux locates in a glacier or valley, Ka-tu-wa-kaegh', lying towards the west arm of Lake Bennett; and into this eastern branch he flows a stream from the north-northwest. It is by these streams that the Indian trail from Arkell leads to Bennett, to be reached in two days.

From the foot of Lake Arkell he entered the Kow-waht-heen'-a, usually called the Tahk-heena River, that enters the Lewes in latitude 60 deg. 50 min., about fifteen miles below the White Horse Rapids. He marks the rapids on the Kow-waht-heen-a, also the Kow-ae-teen-a, or Mendenhall tributary of the left bank, and the lake, Yut-tae-ghat', at its head. He does not note the tributary coming in from the right bank, which Ogilvie has designated with a lake at its head.

About a dozen miles below the Wot-waht-heen-a, the Lewes discharges into Lake Labarge; but three or four miles before the latter is reached, Kohklux has a stream coming in from the left bank, called the Ka-hat-tee-kee-tee-heen. It appears to come from the westward, through a narrow gorge in the mountains, and further from a narrow grass valley, called the Tchu-kam-see-tee, which lies at right angles and northward of the gorge. This valley appears to head northward towards the Lake Me-tagh-ko of his return route.

Kohklux designates the Lewes between the mouth of the Kow-waht-heen-a and Lake Marsh to the southeast, as the Sish-sha' Kow-waht-heen-a, and names Lake Marsh Ta-gish-sha' (hard "g"), with a village of Takh-heesh at the northeast angle, where the river debouches. Professor Dawson says the Tagish name of this lake is Ta-gish-ai, or the Tagischa of Krause.

Kohklux has a native village at the southeast point of Lake Labarge. He was one day running down this lake, which is thirty-one miles in length, nearly north and south. It is about 1,960 feet above the sea. Kohklux places the higher mountains on the west side. He names the lake Kluk-tak-sy'-ee, or Kluk-tak-sy'-a. (Sy-ah in Chinook means far away, or long distance.) Schwatka named it Labarge, after a well-known pioneer, Michael Labarge, but reported the Indian name, Kluk-tas-si. Dr. Dawson says the Tagish name is Tlootal-sai, and remarks that Krase called it the Tahiniwud, "which is evidently the name given to me as that of the Lewes River, or the Tah-hini-wat.

At the northern extremity of Lake Labarge, Kohklux built a raft for the navigation of the river hence to Fort Selkirk. He names the river below the lake Tah-heen-ae (Salmon River), and notes that there are no mountains below this lake.

On this trip down the Lewes, or Tah-heen-ac, the map of Kohklux is quite important, and we are able to locate the relative positions of the several large tributaries by their native names.

Fifteen to twenty miles below Lake Labarge the River Newberry, or Tess-el-heena, of Schwatka, enters the right bank. This is the Hootalin'qua of the miners, and the Tes-s'l Heena of Kohklux. Dr. Dawson says the Tagish Indians gave him the name Teslintoo; Ogilvie calls it the Tes-lin-touh. It drains the great Lake Tes-leen, which is about 110 miles to the southeastward; and the Indians report it to be the largest of the lakes of this region, and Ogilvie gives it, and the line of lakes at its head, at 125 miles.

The width of the Tes-s'l-heena is 575 feet at its mouth, with a velocity of less than three miles, while the Lewes has a width of 420 feet, and a velocity of nearly six miles per hour.

Thirty-three miles below the Tes-s'l-heena, the Big Salmon of the miners, or the D'Abbadie of Schwatka, enters the right bank from the southeast. It is the Tat-'len-heena of Kohklux, and Dawson says it is the Ta-tlin-hi-ni of the Tagish Indians. It is a long river, and has a lake at each head of its two main tributaries.

Thence the main direction of the Lewes to the Yukon is northwest for ninety miles as the crow flies.

Some distance below the Tes-s'l-heena, Kohklux has a small stream entering the right bank. It has the long name Ghluk-kok-kwan-heen'-a. Ogilvie has a stream entering four or five miles down the river from the Big Salmon, but without a name. Kohklux was six days in reaching this stream from Lake Labarge.

About thirty-six miles below the Big Salmon, the Little Salmon enters the right bank of the Lewes. It is the Tsak-heen-ae of Kohklux; and just below it is a native village of "Sticks," to which Kohklux gives the name Ghluk-sae'.

In the southern bend of the Lewes, eight miles below the Little Salmon, Schwatka has located an isolated rocky hill, about 500 feet elevation, which he names the "Eagle-nest Butte," from the Chilkaht name. He says the Tagish call it the Otter-tail. Kohklux has drawn it as a sugarloaf, and named it Glugh-sae-shah'. He has a small stream entering at the upper, or southern, side, and so has Ogilvie.

On the left bank of the Lewes, not far below the Eagle-nest Butte, Kohklux had upon his first sketch a small stream named Tagh-lah-chik'-wa, probably the same that Ogilvie places in 60 deg. 3 min. latitude.

In latitude 62 deg. 9 min., Schwatka places the mouth of the Nordenskjold, or the Nan-sun-dun, coming in on the left bank. Dalton calls it the Nats-un-dum; Kohklux names it the Nats-un-tun'.

This is an important point on Kohklux' map, because here, on his return from Fort Selkirk, he left the Lewes and followed up this river. It is the northern terminus of the Dalton east trail.

Thirteen miles in a direct line north of the Nats-un-tun', in latitude 62 deg. 20 min., the Tatchun of Schwatka enters the right bank of the Lewes, from the east-northeast. It is the Ta-tchun' of Kohklux, who has a lake at its head. Dawson calls it the Tatshun River. Kohklux was six days going down the Lewes from Ghluk-kok-kwan-heena to the Ta-tchun'. Two miles before reaching the

Ta-tchun occur the "Five-Finger Rapids" of the miners, or the Rink Rapids of Schwatka. Kohklux called them the Yaelh-kot-sae, and verbally described them.

From the Ta-tchun the distance to the Pelly River is fifty-nine miles according to Ogilvie, who adds no side streams of any importance; nevertheless, Kohklux has on the right bank a stream and two villages; and a stream on the left bank, with their names.

When Kohklux reached the Pelly River he named it the Ghos'-heena, and Fort Selkirk "King George's House," which is the Chinook name for a Hudson's Bay establishment. Far up the Pelly he has drawn a large lake, into which a large fall is pouring its waters; this, perhaps, from native reports to him. Kohklux continued his voyage down the Yukon to secure the support of the Indians of that region in his intended raid. On the left bank of the Yukon he places a stream coming in, which he names the Tal-sae-heena, which he reached in eleven days from Ta-tchun. We have had no means of identifying this stream; it is probably the Selwyn. His itinerary to the Yukon covered thirty days After the burning of Fort Selkirk, Kohklux returned up the Lewes, and left it at the mouth of the Tats-un-tun'. Thence he followed a snow-shoe trail along the right bank of the river to its lowest right-bank tributary, coming from the south; followed this, and turned to the westward at the head of the lake feeding that stream, with a smaller lake a little farther south. He gives no names. Near where this tributary debouches, and to the northward and westward of the Nats-un-tun, he places an unnamed and disconnected lake.

Kohklux avoided the direct trail to Hoo-tchy'-ee Lake and village, crossed the hills on the east through a depression running north and south, and came out at the southern head of the Hoo-tchy'-ee series.

Kohklux does not connect these lakes with the Yut-tae-ghat' Lake, at the head of the Mendenhall River, although he has a small stream leading from this latter lake towards and close to the Hoo-tchy-ee Lakes, all of which he names.

The Hoo-tchy'-ee is doubtless the Hootch-eye of Glave, who named it from report only; the Hootch-i of Ogilvie and Dalton, and the Hutshi of the Canadian map of 1898. It is about 2,600 feet above the sea.

Beyond' the low hills that lie to the eastward of the Hoo-tchy-ee system, Kohklux has laid down and named three other lakes that are continued southward from that one which he rounded at the head of the tributary of the Tats-un-tun. He does not connect this east-n series by watercourse. but they point southeasterly to the headwaters of one or other of the streams that run south into the left bank of the Kow-wat-heen-a; perhaps the Klokhok.

To the east of the divide where Kohklux passed the head of the Hoo-tchy-ee series. he has drawn a deep valley, running east to the other series of lakes: but we have no space for details.

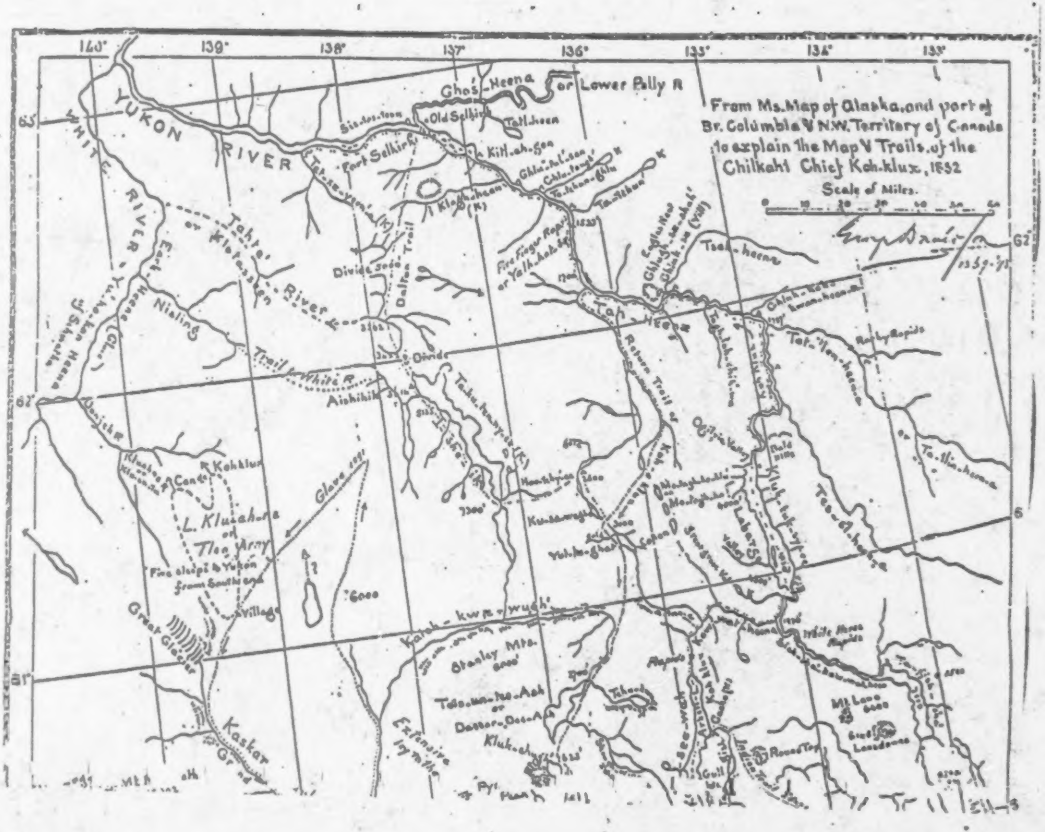
Going back for a few moments to the Hoo-tchy-ee. we note that Kohklux has drawn two detached lakes to the westward. but without river connections. The nearest is named the Ta-ku-ten-ny'-ee. with a native village on the north. It is probably the I-she-ik of the tribe there. To Kohklux it may have been the Salmon River (Tah-ku) of the Ten-nai. The westernmost lake is very large, with two arms to the northeast, on the northern of which we have written "to Yukon" from Kohklux' dictation. Schwatka says the Indians call the White River the Yu-ko-kon-heen-a: The size, direction, and legend of the lake point to it as the great lake Tloo-arney of Glave, and the Klu-ah-ne on the Canadian map of 1898; and it is doubtless connected with the White River by its tributary the Donjek, or a branch of the Klu-an-tu of the Coast Survey. Glave says it is seven miles wide at the south end, and "stretches like a sea away to the north as far as the eye can reach." The Indians reported that they could reach the Yukon in "five sleeps" from their village. Glave got into confusion hereabouts, but it is clear this lake does not drain o the Kaskar Wurlch, which heads in a great glacier to the south-st of it. The natives on the lake call the White River the "Eark Heene," which Glave gives as Erkheenee on his map. (Irk means copper.)

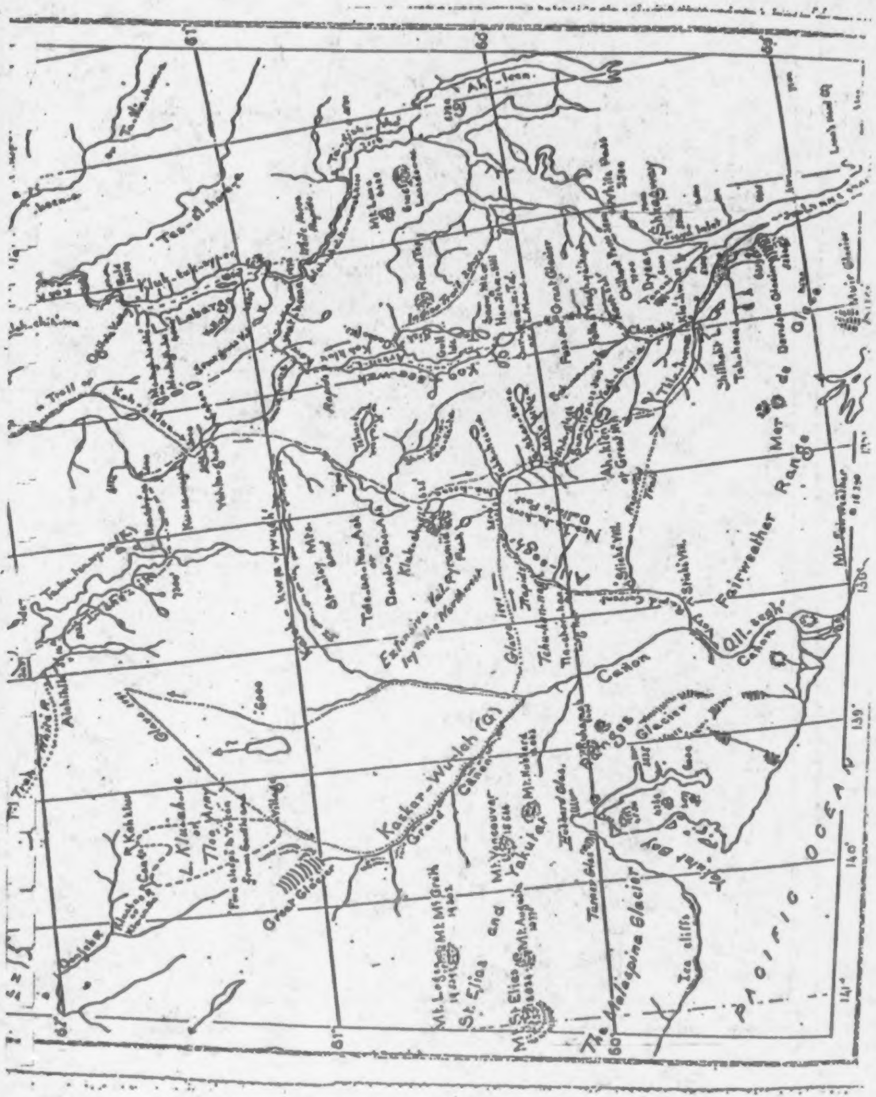
From the divide Kohklux continued southward on the easterly slope of high hills, with Lake Yut-tae-ghat' on the east, which drains into the Kow-ae-Teenae. and thence into the Kow-wat-heen-a. Thence he reached the great northeast bend of the Katch-kwae-wogh', which drains the Lake Tots-an-tee-ash'. From this bend the great river swings to the west, receives the waters of the Ai-she-hik Lake, which heads in latitude 62 deg.; and farther down the great river it receives the waters of a river which Glave followed, and soon after joins the Kashar Wurlch below the Grand Cañon of the latter.

From the great bend, Kohklux continued up the right bank of the river and the Lake Tots-an-tee-ash to its head; thence along the east side of the Lake Kluk-shugh'. with a notable pyramidal peak to the westward. But he deviated southeastwardly from the Unaheen, across the great valley Sha-kwat (Glave's Shakwak). and the small stream Tahk-heen-a from the east, and then struck northwest along the All-segh River to the annual trading station, Nes-ka-taheen, at the northerly bend, 2,500 feet above the sea. This station is west of and close to the mouth of the Una-leen, which drains Klukshugh. Here he mentions that on another trip down this river to the Pacific, he encountered the rapids, Tchu-kan-nagh', a log hut on the right bank (built in the style of the Russian log huts of Port Mulgrave—with a legend thereto), with the name, and other villages of "Sticks"; hence to its junction with the Kaskar Wurlch. Recent Canadian maps connect Lake Kluk-shugh with the Tots-untee-ash, or Dassar-Jee-ash, but Kohklux does not. If they were connected, it would form a remarkable system. He left this place and followed the All-segh upstream towards the divide, at 3,100 feet elevation, and thence down the eastern flanks, of the hills and mountains, and around the western side of the great snow mountain, Ahklen'. Continuing southward, he soon reached the lake at the head of the Ghlu-heen-a, which is the northern part of the Tklae-heen'-a, that empties into the Chilkaht just northwest of his village, Klukwan. Every lake and stream in this region he names. He was thirty days making his return trip.

This is a brief and perhaps unsatisfactory account of a double line of exploration. The return line is mainly the Dalton trail. We have not the space to collate the names of Kohklux with later investigators or traders. We staid long enough with the Chilkahts to get the proper pronunciation of their names; and having gained the friendship of Kohklux, he was ready to carry us to a location where, he averred the coal was as good as that used on our steamers.

We may add that Ta or Tah is salmon; een, eena, etc., is a freshwater stream; ik or irk is copper; una is flint; tlen, large, siti, the ice mass of a glacier; shagh, mountains.


From Ms. Map of Alaska, and part of
Br. Columbia & N.W. Territory of Canada
to explain the Map & Trails of the
Chilkaht Chief Koh-klux, 1852
Scale of Miles.
0 10 20 30 40 50 60
1359-'75
140° 139° 138° 137° 136° 135° 134° 133°
63°
62°
61°
YUKON RIVER
WHITE RIVER
Ghos-Heena or Lower Pelly R
Old Selkirk
Tatl-heen
Sis-tos-toon
Fort Selkirk
Kitl-ah-gon
Ta-tse-yen-a (K)
Klog-hcheen (K)
Tahte' or Klotassin River
Divide 3000
Dalton Trail
Fire Finger Rapids or Yalk-hok-ah
Tsek-heena
Tah-Heena
Tat-'len-heena
Rocky Rapids
Chlah-koke-kwan-heena
Ta-'llin-heena
Tes-el-heena
Return Trail of Koh-klux
Ogilvie Valley
Taku-tun-ye-de (K)
Aishihik
Trail to White R.
Divide
Nialing
East-Heena (Gl.)
Yu-ko-kon Heena of Schwatka
Donjek R
Kohklux
L. Klu-ah-na or Tlen Army
Fine slope to Yukon from South end
Village
Glave 1891
6000
Great Glacier
Kaskar
Kwai-kwa-wugh'
Stanley Mts. 8000
Tslo-ma-tse-Ash or Dasser-Des-Ash
Extensive lying the
Kluk-sh
Kuskawugh
Yehl-ta-ghat
Caton
Laberge
Klu-tuk-sy-ee
White Horse Rapids
Rapids
Mt. Lome 8000
Great Lansdowne
Round Top
Gull
Indian Trail
5000
7300


PACIFIC OCEAN
Fairweather Range
Mt Fairweather
The Malaspina Glacier
Ice cliffs
Yakutat Bay
Mt St Elias
St. Elias and
Mt Vancouver
Mt Logan
Mt Cook
Kaskar-Wurlch (Q)
Grand Cañon
Cañon
Great Glacier
L Kluahne or
Labarge
Dyea
Skaguay
Ahklin
Ah-lean
141°
140°
139°
138°
60°
61°

II.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, California, September 3, 1867.

COLONEL: After completing your inspection duties at San Juan island you will proceed to Victoria and New Westminster and collect such information as you can obtain in regard to the tribes of Indians on and near the boundary between British Columbia and the Russian American possessions recently ceded to us; their numbers, location, character, disposition, whether hostile or friendly towards white settlers, &c.

As it will be for the interest of British Columbia, as well as the United States, that pacific relations should be maintained with all these Indians who live near the boundaries of the two governments, it is presumed that the officers of her Majesty in British Columbia will facilitate your inquiries in regard to this matter. You will explain to them the object of your visit, and you are authorized to show these instructions to Governor Seymour, whom you will assure of our earnest desire to maintain peaceful relations with the native tribes in his colony, as well as in our own territory. The prosperity of both must depend in a great measure upon our securing this result.

It is said that Indians living near the boundary line between northern British Columbia and the ceded Russian American possessions have made several hostile incursions into the settlements in British Columbia and Washington Territory, which hostile incursions might have been checked or prevented by a proper military force in the vicinity of Fort Simpson or Portland canal.

To accomplish this object it may be necessary for the United States to establish a military post within their own territory on the north side of Portland canal. You will carefully inquire into this matter.

You will also inquire respecting the character of the Indians on Stakeen river, and report whether, in your opinion, it is necessary or desirable for us to establish a military post at the mouth of that river. You will also report what measures the authorities of British Columbia advise or have taken to maintain peace between these Indians and the whites, with the object of a cordial co-operation on our part towards securing that result. Should you have the time and opportunity, you will extend your investigations to the tribal Indians who occupy the islands and coast east of Sitka. It is probable that our people will attempt settlements here and further north towards Cook's inlet next year.

Should such settlements of the ceded country be resisted by the Indians in our own territory, or in British Columbia, a serious Indian war, with numerous complications, may ensue. It is therefore desirable for all parties that every proper measure should be taken to anticipate and prevent such results.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major General Commanding.

…… ……

There has been no visible improvement in their moral condition, that I have observed, since my last report; and they have no opportunity for religious instruction in their present condition. I think they are more inclined than heretofore to concentrate together in unsettled localities which are suitable to their peculiar habits, of which places there are still plenty within the State.

Upon the whole, I have no doubt but they are as well situated as they could be, taking into consideration their characteristics, opportunities, and natures. Some of the younger ones speak the English language quite understandingly, and are constantly improving.

I am, very respectfully, your obedient servant,

O. H. LAMOREUX,
United States Special Agent.

Hon. N. G. TAYLOR,
Commissioner of Indian Affairs.

ALASKA TERRITORY.

No. 102.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, California, November 21, 1867.

GENERAL: I transmit herewith a report by Brevet Lieutenant Colonel R. N. Scott in regard to the Indians near the boundary line between Alaska and British Columbia. I would invite the special attention of the War Department to this valuable report.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major General U. S. A., Com. Mil. Div. of the Pacific.

ADJUTANT GENERAL OF THE ARMY,
Washington, D. C.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, California, November 12, 1867.

GENERAL: In compliance with letter of instructions from Major General Halleck, dated September 3, and under authority granted in your telegram of September 30, I have visited Victoria, New Westminster, and Fort Simpson, British Columbia, and for reasons appearing hereafter I extended my journey to the north side of Portland channel, in our new territory.

Enclosure marked A exhibits the numbers and location of the Indians on and near the boundary between British Columbia and the Russian American possessions recently ceded to the United States. For this information I am mainly indebted to Mr. Cunningham, (the Hudson Bay Company's agent on Naas river,) whom I met at Fort Simpson.

The total number of British Indians on and near the boundary may safely be estimated at 6,800. The American tribes on and near the same line number about 2,000 souls. As a rule these Indians, bound together by trading interests and family connections, are friendly to each other. They are also, generally, well disposed towards the whites, whether "Bostons" or "King George men." The Indians understand perfectly well that it is for their interest to have competition for the furs, skins, fish, &c., which they offer for sale or barter. These articles command much higher prices since the Hudson Bay Company's monopoly expired. The officers of that company complain that their business has been very much injured by outside traders, who are generally Americans, and assign as a reason that it is only from such parties that the Indians can buy liquor. There is, no doubt, much force in this reasoning, but American enterprise has quite as much to do with success of these traders as American whiskey.

The Kakes, Stikeens, Hydahs, Chimpsains, Tongas, Cape Fox, and other tribes congregate on Portland channel and the Naas river to trade with each other and with the whites, the liquor trade being generally carried on within what is now our boundary.

Enclosure marked B exhibits the number and location of the Indians east and south of Sitka and on the main land from Cape Spencer to Portland channel. I do not apprehend that the Indians in British Columbia would offer any obstacle to the settlement by our people of the islands and main land east and to the southward of Sitka.

Difficulties will, however, in all probability arise between the whites and our own Indians. These tribes live along the shores of the various bays, rivers, and inlets. To keep them in subjection will require either the interposition of the navy, manifested by one or more light-draught gunboats paying periodical visits to the various villages, and inflicting summary punishment when necessary, or the constant employment of an armed quartermaster's steamer, which could probably perform such duty while transporting supplies from post to post. I respectfully recommend that a show of military power be made at the earliest practicable moment to the Kakes, Arnos, Chilcaks, and Hoods-Nahoos. This special service might easily be performed by the navy. Upon the question of establishing a military post at or near the mouth of Stikeen river, I feel some hesitation in expressing an opinion, not being able by personal examination to ascertain the disposition or exact location on the river of these Indians. There are about 13 whites on the river at a mining village called Shakesville, about 135 miles above its mouth. Thus far they have had no serious trouble with the Indians. The river is navigable for light-draught steamboats for at least 140 miles, and for canoes much further. It is an important channel of trade with the Indians in the British possessions, through to the head-waters of the Naas and Skeena rivers, and I have no doubt but that our revenue officers will have to pay particular attention to this inlet. They might require military protection. If a military post should be established at any point on the river it would hasten the development of the country, and would certainly concentrate in its vicinity a large number of Indians who would thus come under our immediate control. A rough tracing of the river (furnished by Captain Horace Coffin) is submitted herewith. Captain Coffin reports an island near the mouth containing about 300 acres of bank of the river, which I have marked in his sketch with a red cross.

Portland channel is an important inlet for trade with the interior tribes. It is desirable as a means of developing the country, and for the purpose of affording protection to our traders and revenue officers, as well as to preserve peace between our own and the British Indians, to establish a small military post on or near the channel. Such an establishment would also have a good moral effect upon the tribes living or trading for many miles around that vicinity. Impressed with these reasons and in view of the importance of the trade upon the channel and adjacent inlets, I crossed over from Fort Simpson to our own territory in search of a site suitable for a military station. I believe the most suitable place to be Tongas island. This island has an area of about one square mile; perhaps more. It is quite level; it is well timbered and watered, and upon it I found several patches of soil suited for gardening purposes. The accompanying sketch will give a very accurate idea of its locality and the various channels in the immediate vicinity, (enclosure C.)

Nenkoot, alias Ebitt, chief of the Tongas, is very anxious to have an American trading post established on the island, and thinking we must be there for some such purpose, he offered a house and garden patch to Major Hoyt and myself for nothing. He says that the establishment of such a station would concentrate in the vicinity the cape Foxes, the scattered members of his own tribes, and many other Indians; and that many Indians would go there to trade who now deal at Fort Simpson and on the Naas river. The island is now the principal entrepot for the whiskey and other contraband trade with the Indians on and near the channel. We found there a large shed filled with whiskey barrels awaiting the arrival of an American whiskey schooner. If a military post is to be established on this island it would be well to have it declared a military reservation without delay. Traders might be allowed to reside upon it during "good behavior."

For the information embodied in enclosures A and B, I am indebted to Mr. W. F. Tolmie, Captain John Swanson, and Mr. Cunningham, of the Hudson Bay Company, and to Captain Horace Coffin, who was for many years a trader among the northern Indians, and who lately commanded a steamer in the service of the Russian American Telegraph Company. I did not gain much practical information from Governor Seymour in reference to the measures advised or taken by the British authorities to maintain peace between the Indians and the whites. In fact his letter (enclosure D) embodies the substance of his remarks during the two interviews which I had with him. My interviews with Dr. Tolmie were much more satisfactory, and he has promised an early answer to my note, copy of which is enclosed, marked E. His opinions are entitled to great consideration from the fact that he has spent a long life among savage tribes and has been for many years an eye-witness of the results of the policy pursued by our own government towards the Indians in Oregon and Washington Territory.

Stress of weather prevented my visiting the trading and missionary establishment at Met-la-kaht-la, as advised by Governor Seymour, but I wrote to Mr. Duncan from Bella-Bella, and hope to receive an answer

There is no Indian bureau with attendant complications.

There is no pretended recognition of the Indian's "title" in fee simple to the lands over which he roams for fish or game. Intoxicating liquors were not introduced among these people so long as the Hudson Bay Company possessed the monopoly of trade.

Prompt punishment follows the perpetration of crime, and from time to time the presence of a gun-boat serves to remind the savages along the coast of the power of their masters. Not more than two years ago the Fort Rupert Indians were severely punished for refusing to deliver certain criminals demanded by the civil magistrate. Their village was bombarded and completely destroyed by her Britannic Majesty's gun-boat Clio.

As the result of such a policy we find trading posts, well stocked with everything tempting to savage cupidity, safely conducted by one or two whites among distant and powerful tribes. There is not a regular soldier in all British Columbia, (excepting marines on ship-board and at Esquimault,) and yet white men travel through the length and breadth of the province in almost absolute security. Yet the total number of Indians in the colony is estimated at 40,000, and there are not more than 8,000 whites.

Dr. Tolmie informed me that Captain Howard, of our revenue service, had stated in Victoria that no one would be allowed to sell arms or ammunition to the Indians in our territory. This policy, provided it could be carried out, would simply deprive these people of the means of gaining a livelihood.

They must have guns, not only to get food, but to secure the furs, skins, &c., of the northwest trade. But these Indians *will* get arms and ammunition. If our own traders are prohibited from furnishing them, they can and will get them from British Columbia, and in this event they would naturally look upon the British as their best friends. The consequences of such a state of feeling, as affecting our trade and intercourse with them, may readily be imagined. Inasmuch as most of our trading intercourse with Alaska will be by small vessels running through what is called the "inside passage" along the coast of British Columbia, I deemed it advisable to collect such information as could be obtained in reference to Indians living on and near that route. (See enclosure G.)

For convenient reference I submit herewith a copy of the letter of instructions received from Major General Halleck. (Enclosure H.)

Very respectfully, your obedient servant,

ROBERT N. SCOTT,
Brevet Lieut. Colonel and A. D. C.

Brevet Major General JAMES B. FRY,
Adjutant General Military District of the Pacific.

A.

*Indians living on and near the boundary between British Columbia and the Russian American territory recently ceded to the United States.**

to the southward of Fort Simpson, on Chatham sound. Fort Simpson is a large stockade fort, armed with eight four-pounder iron guns, but there are now but three or four whites at that station.

Naas river Indians.—Naas river empties into Portland channel at about 55° north latitude, and about 30 miles to the northward and eastward of Fort Simpson.

Mr. Cunningham (the Naas river trader for Hudson Bay Company) was at Fort Simpson while I was there, and kindly furnished such information as I possess in reference to tribes on that and Skeena river. He estimates the total number of Naas Indians at 2,000.

The Kakes, Foxes, Hydahs, Tongas, and Stikeens trade on the Naas for Oulicoon oil and other articles. The Naas Indians go into Portland channel near its head to catch salmon, which are said to be very abundant.

There is a tribe of about 200 souls now living on a westerly branch of the Naas near Stikeen river; they are called "Luck-weips," and formerly lived on Portland channel; they moved away in consequence of an unsuccessful war with the Naas, and now trade exclusively with the Stikeens. The Hudson Bay Company is making strong efforts to reconcile this feud, in order to recover their trade.*

Skeena river Indians.—Skeena river empties into Port Essington, about 35 miles below Portland channel; its source is not far from the headwaters of the Naas. The total number of Indians on the river and its tributaries is reliably estimated at 2,400, namely:

Kits-alas	400
Kits-win-gahs	300
Kits-i-guchs	300
Kits-pay-uchs	400
Ha-gul-gets	500
Kits-a-gas	500
Kits-win-scolds	400

The last named tribe lives between the Naas and the Skeena. They are represented as a very superior race, industrious, sober, cleanly and peaceable.

Kitatels.—Living on the islands in Ogden's channel, about 60 miles below Fort Simpson. They number about 300 persons, and are not considered very trustworthy. These people trade at Metlakatla.

Hydahs.—This name is given to the Indians on the northern shores of Queen Charlotte's islands and to all of our Indians on Prince of Wales islands, except the Hermegas and Chatsinahs.

The British Indians living along the shore from Virago sound to North Point and Cape Knox number 300. Those at Musset's harbor are also estimated at 300.

The American Hydahs are called Ky-gaunies or Kliavakans. They number about 600 souls, and are scattered along the shore from Cordova to Tonvel's bay. Quite a number of the men from these tribes are employed where in this report. There is said to be a small settlement of these people on Cape Northumberland, numbering about 50 persons.

Cape Fox Indians.—A small tribe is living on Cape Fox, about 15 miles form Portland channel, about 150 in all. The Hudson Bay Company's people consider these indians as belonging to the Tongass, but as they are repudiated by the old Tongass chief, I have reported them separately.

Stikeens.—There are now about 1,000 of these people. Five or six hundred of them live on Stikeen river, and the remainder are scattered along the coast from Point Highfield to Point Steward. This tribe is fast disappearing. Ten years ago they numbered over 1,500 souls. I cannot say how many of the river Stikeens are in our Territory. Captain Coffin reports, however, that there is a Russian boundary monument on that river, about 135 miles from its mouth, marking a point 10 marine leagues from the coast. If he is correct as to the nature of this monument, most of these indians are within our boundary. The Stikeen tongue is spoken all the way from Portland channel to Kay's island.

B.

Indians on the islands east and south of Sitka; on the mainland from Cape Spencer to Portland channel; tribes enumerated in Schedule A being omitted in this statement.*

PRINCE OF WALES ISLAND.

Kennegas.—Living at Cape Pole opposite Warren's island. They number about 500 persons, and are said to be very peaceable.

Chatsinas.—On the northerly end of the island, and on the west side of Clarence straits; a peaceable tribe, numbering about 500 persons.

KUPRIANOFF ISLAND.

Kakes.—This name is given on Russian charts as Kehons; but I adopt the name by which they have been known for years by American and British traders.

Their village is on the northwestern side of the island, near the head of Prince Frederick's sound. They number about 800 souls. In former years they gave us a great deal of annoyance in Puget sound. In 1857 some of this tribe murdered the collector of customs at Port Townsend, Washington Territory, and it is said that they are very much excited at the report that they are coming under the "Bostons," apprehending punishment for their various crimes. I am also informed that this tribe has always given trouble to the Russians. There is a branch of this tribe at Cape Fartshaw or Farnshaw, at the mouth of Stephen's passage, and opposite the northeastern end of the island. They number about 200.

ADMIRALTY ISLAND.

Hoodsnoos.—On Hood's bay, Pognibani straits; about 800 people in all; have a bad reputation among traders.

Auks.—This tribe is scattered along Douglass channel, on Douglass island, and on the mainland from Lynn canal to [illegible] inlet. The [illegible]

The British traders give them a fair reputation, but our people call them bad.

TCHITCHAGOFF ISLAND.

Port Frederick.—On the northern end of the island is a tribe of about 150 persons. I could not learn their tribal name or anything as to their disposition.

INDIANS ON THE MAINLAND.

Hunnas or Hoone-ahs.—Scattered along from Cape Spencer to Point Converden. They number about 1,000 in all. These people are celebrated as sea otter and seal hunters. Captain Swanson says they have no reason for animosity towards Americans. I learned from Captain Coffin, however, that they are dangerous customers, and that on one occasion they captured a vessel belonging to the Hudson Bay Company.

Chilcahs.—At the head of Lynn canal and mouth of Chilcah river; number at least 1,200 souls. They are proud and independent in manner, and are said to cherish peculiar hatred to Americans. About 70 of their forefathers were killed some 60 years ago by the crew of an American brig, and a desire for revenge is still cherished by them. Small parties of Americans should be very cautious in dealing with these Indians.

Hoodna-hoos.—At the head of Chatham straits; number about 700. Some of their people have also been killed by American sailors, and Captain Swanson says they will seek revenge.

Tacos.—Living about Port Durham and head of Taco inlet; number about 300, and are represented as "rich and saucy."

Sundowns.—There are about 150 of these people living in Port Houghton; character very doubtful.

Kyacks.—About 200 of this tribe are living on the mainland behind Hays island; character doubtful.

D.

VICTORIA, BRITISH COLUMBIA,
September 24, 1867.

SIR: In compliance with desire expressed by yourself on Saturday last, I have the honor to submit herewith copy of instructions under which I am acting.

Major General Halleck will be greatly obliged for any suggestions you may deem it proper to communicate as to the measures to be taken in dealing with the Indians in our new territory. The peaceable relations so long maintained between the whites and Indians in British Columbia give great weight to any suggestions we may be fortunate enough to receive from the officers of her Majesty.

I have obtained much information in regard to the Indians living on the islands and coast east of Sitka, from Portland channel northward towards Cook's inlet. I would be glad to have your excellency designate parties from whom I can gain information in regard to the tribes along the boundary between our respective territories.

With renewed assurances of your desire to maintain peaceful relations with the native tribes in your colony as well as in our own territory I

VICTORIA, *October* 4, 1867.

MY DEAR SIR: I hear that you are about to leave Victoria, and I at once answer your official letter, although possibly it might have been more satisfactory to talk over its contents once more.

As regards the treatment of the Indians I do not think you will have much trouble. I have always treated them as, to a certain extent, an inferior race to ourselves, but with strict justice. I enclose letters of introduction to the Police magistrate at Nanaimo, and W. Duncan, the magistra[illegible] Metlakahtla. You will find W. Duncan more conversant with th[illegible]an character than almost any one in British Columbia. If you stop [illegible] Fort Simpson you can gain much practical information from the representatives of the Hudson Bay Company.

I have found that the Indians have a strong idea of justice, and know when they are in the wrong. At the same time, if not satisfied in their minds that the punishment inflicted on them is deserved, they will long cherish a desire for retaliation and vengeance.

Wishing that I could give you more full information,

I remain yours, truly,

FREDERICK SEYMOUR.

Col. SCOTT, *United States Army.*

E.

VICTORIA, BRITISH COLUMBIA,
October 29, 1867.

DEAR SIR: Major General Halleck is very desirous to know, with a view to a cordial co-operation on our part, what measures the authorities in your colony advise, in order to preserve peace between the Indians and the whites, and between the Indians themselves along our respective boundaries. Your long experience in the management of savage tribes induces me to apply also to you for such suggestions as you deem proper in regard to this subject.

Please give me your views, especially upon the question of selling arms and ammunition to the Indians in our new territory, and upon the necessity of prohibiting the introduction of intoxicating liquors into the same region.

Thanking you for the information already received through your kindness,

I am, sir, very respectfully, your obedient servant,

ROBERT N. SCOTT,
Brevet Lieutenant Colonel United States Army.

W. F. TOLMIE, Esq.,
Chief Factor H. B. Co., &c., &c., Present.

pay you a visit. I was, however, delayed by bad weather on the north side of Portland channel, and finding that our boilers were getting in bad condition I deemed it best to get across Queen Charlotte's sound without delay.

Will you be kind enough to advise me of your views as to the character and disposition of the Indians on and near the boundary between British Columbia and the territory recently ceded by Russia to the United States. I will also be obliged for any suggestions as to the proper policy to be pursued by the United States officials to preserve peaceful relations with these tribes. It is the earnest desire of the United States to preserve peaceful relations with the native tribes in British Columbia, as well as in our own territory, and I will be glad to have your views as to the best policy to secure such result.

Please address me at "Headquarters Military Division of the Pacific, San Francisco, California."

I have the honor to be, sir, very respectfully, your obedient servant,

ROBERT N. SCOTT,

Brevet Lieutenant Colonel United States Army.

WILLIAM DUNCAN, Esq., *Metlakahtla.*

G.

Indians living on and near the inside passage from Victoria, British Columbia, to Sitka. (Indians enumerated in enclosures A and B not included.)

Nanaimo.—There are from three to four hundred Indians at and in the vicinity of this coal mine. They are kept in thorough subjection.

Cape Mudge.—South end of Valdes's island, a small fishing station. About 100 Indians congregate there at certain seasons of the year.

Nimkish.—There are about 200 of the people living on the Nimkish river, about 80 miles above Cape Mudge. This tribe bears a very good reputation.

Fort Rupert.—This is a large Hudson Bay Company's station, surrounded by about 100 Indians, whose reputations are bad. They have, however, been on good behavior since their village was bombarded by the Clio.

Nahwitties.—These people live on Hope island, in Shadwell passage, about 20 miles to northwestward of Fort Rupert. They are an industrious and quiet people, completely under the control of the Roman Catholic priests. They have good houses and fine gardens. I estimate their numbers at about 200.

Quatsinos.—Live on Smith's inlet, north of Cape Caution. They are estimated at about 150 souls, and bear a doubtful character.

Wykenas.—Not more than 100 persons in this tribe, living on River's channel.

Bella-Bellas.—There are about 300 Indians on Millbank sound, who congregate on the islands of Bella-Bella, where there is a trading station. They have quite a good character among traders.

CHILKAT INDIAN VILLAGE
AN INDIAN REORGANIZATION ACT VILLAGE
UNDER ACT OF CONGRESS JUNE 18, 1934
BOX ..210
HAINES, ALASKA 99827
767-5505

RESOLUTION: 008-89

ACKNOWLEDGEMENT OF CHILKAT AS INDIAN COUNTRY

WHEREAS, Since time immemorial the land that our community sets upon which is encompassed by 2.6 million acres of land, is called Kluk-ōnn, And

WHEREAS, Kluk-ōnn, in Tlingit means always a community on tribal land, And

WHEREAS, Our aboriginal land title was claimed in 1867 and total use and occupancy, And

WHEREAS, Chilkat Indian Village filed possessory rights petition on March 8, 1948, And

WHEREAS, Our 980 acres of land was reserved within our 2.6 million acres of land, And

WHEREAS, Chilkat Indian Village is a federaly recognized Tribe and has been in the Federal Register, And

WHEREAS, Alaska Native Claims Settlement Act only removed our reserve status, And

WHEREAS, On April 26,1977 Chilkat Indian Village Council on behalf of our tribe filed statement of claim: Trespass, And

WHEREAS, The Village Council has on record enough evidence to maintain a strong position.

THEREFORE, BE IT RESOLVED, That Chilkat Indian Village IRA Council on behalf of the Chilkat Tribe hold, defend and express in a positive posture, that Chilkat Tribe possess attributes of Indian Country in the absence of our former reserve. There by we are Indian Country Tribe.

By a vote of 6 for, and 0 against, during a legally called session, held on the 28 th day of April, 1989.

Joe Hotch
Joe Hotch, President
I.R.A. Council
Chilkat Indian Village

Attested by Marsha Hotch
Marsha Hotch, Secretary
I.R.A. Council

ABORIGINAL TITLE, ALASKAN NATIVE PROPERTY RIGHTS, AND THE CASE OF THE TEE-HIT-TON INDIANS

Steven John Bloxham

Introduction

Few cases have affected the course of Indian law as greatly as *Tee-Hit-Ton Indians v. United States.*[1] Decided in 1955, it was the culmination of a line of Supreme Court decisions concerning aboriginal title, its status as "property," and the effect on that status of various kinds of "recognition." Plaintiffs were a group of Alaskan natives seeking compensation under the fifth amendment for a "taking" by the United States of timber from lands the plaintiffs claimed by aboriginal title. Denying that compensation was due, the Court declared that absent specific recognition as such by treaty or act of Congress, aboriginal title is not a property interest within the meaning of the fifth amendment.

Recent scholarship has charged that *Tee-Hit-Ton* wrongly decided the issues presented.[2] Ironically, the issues the Court claimed to have decided probably were not presented in the first place. Through the combined misunderstanding of Court and counsel, most of the relevant issues in the case were never addressed. Instead, counsel argued and the Court "decided" a case that bore little resemblance to the one properly before the Court.

Shortly after Alaska was acquired, Congress deliberately did not provide Alaskan native lands the legislative protection traditionally afforded Indian lands elsewhere.[3] Adopting a different policy in Alaska, Congress refused to protect aboriginal title per se, although it did act to protect native possession. Through special legislation, most significantly the 1884 Alaska Organic Act,[4] Congress created various imperfect rights in favor of both

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[1] 348 U.S. 272 (1955), *noted in* 69 HARV. L. REV. 120, 148 (1955) and 8 ALA. L. REV. 170 (1955).

[2] R. BARSH & J. HENDERSON, THE ROAD 141-44 (1980); Henderson, *Unraveling the Riddle of Aboriginal Title*, 5 AM. INDIAN L. REV. 75 (1977); Newton, *At the Whim of the Sovereign*, 31 HASTINGS L.J. 1215 (1980). *See* Hookey, *The Gove Land Rights Case: A Judicial Dispensation for the Taking of Aboriginal Lands in Australia?*, 5 FED. L. REV. 85, 99-102 (1972); Mickenberg, *Aboriginal Rights in Canada and the United States*, 9 OSGOODE HALL L.J. 119, 135-38 (1971).

[3] Most provisions of the 1834 Intercourse Act, Act of June 30, 1834, ch. 161, 4 Stat. 729, particularly section 12, 25 U.S.C. § 177, have never been in effect in Alaska.

[4] Act of May 17, 1884, ch. 53, § 8, 23 Stat. 24.

natives and nonnatives occupying lands in Alaska. These rights closely paralleled, but were conceptually distinct from, aboriginal title.

Just eight years before the *Tee-Hit-Ton* decision, the Ninth Circuit Court of Appeals had held that rights created by the 1884 Organic Act were "compensable" property under the fifth amendment, although it also held that all aboriginal title in Alaska had been extinguished in 1867.[5] The Supreme Court in *Tee-Hit-Ton* misread this decision as having upheld compensation for a taking of aboriginal title and disapproved of it. The Court then held that the 1884 Act was not sufficient recognition of aboriginal title so as to compel compensation under the "recognition" test it announced. It never realized that for nearly sixty years both it and the Ninth Circuit had construed the 1884 Act as having created nonaboriginal rights.

Largely because of this confusion by the Court, and a natural tendency to focus on aboriginal title whenever Indian land is concerned, non-Alaskan courts and commentators usually have failed to perceive the unique footing upon which Alaskan native property rights have rested. This article will attempt to eliminate this confusion through analysis of relevant legislation and case law. After a brief overview of legislation affecting native rights in Alaska, the significance and applicability of the Indian Trade and Intercourse Acts in Alaska will be discussed. The existence and character of the property rights of Alaskan natives under the 1884 Organic Act will be explored, and a theory of the relationship between these rights and aboriginal title proposed. The cases leading up to the *Tee-Hit-Ton* decision will be discussed, and *Tee-Hit-Ton* will be criticized based upon Alaskan and non-Alaskan legal precedent. In conclusion, it will be suggested that Alaskan tribes still hold vested rights to lands in Alaska, notwithstanding either *Tee-Hit-Ton* or the Alaska Native Claims Settlement Act of 1971,[6] and that *Tee-Hit-Ton* either should be overruled or limited to its facts and, therefore, have little but historical relevance either inside or outside of Alaska.

Alaska and Alaskan Natives: An Overview

Since time immemorial Alaska has been inhabited by the peoples now known generally as the Tlingits, Athapascans,

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[5] Miller v. United States, 159 F.2d 997 (9th Cir. 1947).

[6] 43 U.S.C. §§ 1601-1628 (1971).

Eskimos, and Aleuts.[7] The first Europeans to record contact with them were members of the Russian exploration expedition of Vitus Bering in 1741. The expedition reported finding large numbers of sea otters and fur seals, and before long, hoards of Russian fur hunters arrived to exploit the newly discovered wealth. The Russian-American Company was formed in 1799, and until 1867 it not only enjoyed a monopoly on the fur trade but exercised powers of government over such Russian possessions as there were in Alaska. Aside from fur traders, the Russian presence was limited to scattered churches and townsites, mostly in southeastern Alaska.[8]

Russia ceded its rights in Alaska to the United States in 1867.[9] The treaty of cession provided that, with the exception of "the uncivilized native tribes," all inhabitants who chose to remain in Alaska would become United States citizens.[10] The "uncivilized" tribes, on the other hand, were declared to be "subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country."[11] The treaty therefore implicitly divided natives into two categories, "uncivilized" and "civilized," and ordained federal citizenship for the latter.[12]

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[7] Congressional legislation relating generally to Indians applies to all four groups, while legislation relating specifically to Alaska often distinguishes among Indians (Tlingits and Athapascans), Eskimos and Aleuts. United States v. Native Village of Unalakleet, 411 F.2d 1255 (Ct. Cl. 1969). *Compare* Act of May 25, 1926, ch. 379, 44 Stat. 629, pt.2 (repealed by Pub. L. No. 94-579, § 703(a), 90 Stat. 2790 (1976)) (Indians and Eskimos) *with* Act of May 31, 1938, ch. 304, 52 Stat. 593 (repealed by Pub. L. No. 94-579, § 704(a), 90 Stat. 2792 (1976)) (Indians, Eskimos, and Aleuts).

[8] H. CHEVIGNY, RUSSIAN AMERICA (1979); E. GRUENING, THE STATE OF ALASKA 1-29 (2d ed. 1968).

[9] Treaty of Cession of Russian America, Mar. 30, ~~1867, United~~ States-Russia, 15 Stat. 539. Russia's rights in Alaska were those stemming from discovery. *See* Lipan Apache Tribe v. United States, 180 Ct. Cl. 487, 493 (1967). "[D]iscovery gave title to the government by whose subjects, or by whose authority, it was made, against all other European governments, which title might be consummated by possession." Johnson v. McIntosh, 21 U.S. (8 Wheat.) 543, 573 (1823). This title was "subject only to the Indian right of occupancy." *Id.* at 585. Discovery "gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest." *Id.* at 587. See also the discussion of *McIntosh, infra* at text accompanying notes 169-176. For excellent discussions of the discovery doctrine, *see* Barsh & Henderson, *supra* note 2, at 31-49; Berman, *The Concept of Aboriginal Rights in the Early Legal History of the United States*, 27 BUFF. L. REV. 637 (1978); Henderson, *supra* note 2, 82-109.

[10] Treaty of Mar. 30, 1867, United States-Russia, art. 3, 15 Stat. 539.

[11] *Id.*

[12] *In re* Minook, 2 Alas. 200 (D. Alas. 1904). "Civilized" natives were those considered under Russian law as being Russian subjects, including Creoles and t [illegible] ettled

In 1884 the first Organic Act for Alaska extended the laws of Oregon over Alaska, so far as applicable, and provided for the appointment of a governor to sit in Sitka.[13] Alaska was constituted a land district, the general mining laws[14] were declared to be in force, and those who had already located claims were allowed to perfect them.[15] This was subject to the provision that "the *Indians or other persons*" in Alaska "shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them[,] but *the terms under which such persons may acquire title* to such lands *is reserved for future legislation* by Congress."[16] Occupied lands up to 640 acres being used as missionary stations among the Indians were to "be continued in the occupancy" of the missionaries "until action by Congress."[17] A final proviso cautioned that "nothing contained in this act shall be construed to put in force" in Alaska "the general land laws of the United States."[18]

Congress created the first Indian reservation in Alaska in 1891 when it set aside the Annette Islands Reserve for the Metlakatla Indians, a band that had immigrated from British Columbia four years earlier.[19] Persons occupying lands in Alaska for purposes of trade or manufacture were allowed to receive patents to such lands not to exceed 160 acres,[20] but this rule did not extend to lands "to which the natives of Alaska have prior rights by virtue of actual occupation."[21] Provision was also made for entry of lands for townsite purposes under the general townsite laws, with

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tribes"; "uncivilized native tribes" were "those independent pagan tribes who acknowledged no allegiance to Russia . . . ." *Id.* at 213-20. *Cf.* United States v. Lynch, 7 Alas. 568, 572 (D. Alas. 1927) (Tlingits classified as "uncivilized natives"). Federal citizenship was granted to Indians generally by the Act of June 2, 1924, ch. 233, 43 Stat. 253. The Metlakatla Indians of the Annette Islands Reserve became federal citizens by the Act of May 7, 1934, ch. 221, 48 Stat. 667.

[13] Act of May 17, 1884, ch. 53, §§ 1, 2, 7, 23 Stat. 24.

[14] Rev. Stat. §§ 2318-2352 (*codified in* 43 U.S.C.).

[15] Act of May 17, 1884, ch. 53, § 8, 23 Stat. 24.

[16] *Id.* (emphasis added).

[17] *Id.*

[18] *Id.*

[19] Act of Mar. 3, 1891, ch. 561, § 15, 26 Stat. 1095 (*codified at* 25 U.S.C. § 495). The waters within 3,000 feet of the low mean tide of the islands were included in the reserve by the Presidential Proclamation of Apr. 28, 1916, 39 Stat. 1777. The Supreme Court subsequently interpreted the original reservation by Congress to include such waters but made no mention of the 1916 proclamation. Alaska Pac. Fisheries v. United States, 248 U.S. 78 (1918).

[20] Act of Mar. 3, ch. 561, § 12, 26 Stat. 1095.

[21] § 14.

no more than 640 acres to be embraced within any one entry.[22]

The homestead laws[23] were extended to Alaska in 1898, but homesteads were to be limited to 80 acres; and neither entries nor acquisition of title to the shores of navigable waters were authorized.[24] The act also delegated to the Secretary of the Interior authority to "reserve for the use of the natives of Alaska suitable tracts of land along the water front of any stream, inlet, bay or sea shore for landing places for canoes and other craft" used by natives.[25]

The second Organic Act in 1900 reorganized the civil government of Alaska and moved its seat to Juneau.[26] The act declared that the "Indians or other persons conducting schools or missions" in Alaska should not be disturbed in the possession of lands actually used or occupied, and directed the Secretary of the Interior to survey and issue to religious societies patents to lands, up to 640 acres, occupied by them as missionary stations among the Indians.[27]

Although applicable, the General Allotment Act of 1887[28] was of little practical significance in Alaska. It authorized the creation of allotments only out of lands that were part of an Indian reservation; there were no Indian reservations in Alaska at the time. Congress corrected this situation in 1906 when it authorized the Secretary of the Interior to allot 160 acres of nonmineral land to any Indian or Eskimo meeting certain qualifications.[29] Such persons were given a preference right to secure an allotment to nonmineral land they occupied. The allotments were to be inalienable and nontaxable until otherwise provided.

In 1912 the third Organic Act provided for a territorial legislature[30] and a nonvoting delegate to Congress.[31] The act further provided that "the Constitution of the United States, and all the laws thereof which are not locally inapplicable, shall have the same force and effect within [Alaska] as elsewhere in the United States. . . ."[32]

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[22] *Id.* § 11 (repealed by Pub. L. No. 94-579, § 703(a), 90 Stat. 2790 (1976)). It has been held that natives were not entitled to enter townsites under this section. Johnson v. Pacific Coast S.S. Co., 2 Alas. 224 (D. Alas. 1904). *But see* Act of May 25, 1926, ch. 379, § 1, 44 Stat. 629 (repealed by Pub. L. No. 94-579, § 703(a), 90 Stat. 2790), which authorized the issuance of deeds to Indians or Eskimos occupying tracts surveyed pursuant to section 11 of the Act of 1891.

[23] Rev. Stat. §§ 2289-2317 (*codified in* 43 U.S.C.; some sections repealed by Pub. L. No. 94-579, § 702, 90 Stat. 2787-88).

[24] Act of May 14, 1898, ch. 299, § 1, 30 Stat. 409 (*codified in* 43 U.S.C.).

[25] *Id.* § 10 (repealed by Pub. L. No. 94-579, § 704(a), 90 Stat. 2792 (1976)).

[26] Act of June 6, 1900, ch. 786, § 1, 31 Stat. 321.

[27] *Id.* § 27 (*codified at* 25 U.S.C. § 280a).

[28] Act of Feb. 8, 1887, ch. 119, 24 Stat. 388 (*codified at* 25 U.S.C. §§ 331-34, 339, 341-42, 348, 349, 381). *See* Nagle v. United States, 191 F. 141 (9th Cir. 1911).

[29] Act of May 17, 1906, ch. 2469, 34 Stat. 197 (repealed by Pub. L. No. 92-203, § 18, 85 Stat. 710 (1971)).

The newly created territorial legislature in 1915 enacted the Indian Village Act allowing any native village of at least forty permanent inhabitants to organize a municipal government.[33] In 1926, Congress provided for the issuance of deeds to lands set apart for Indians and Eskimos within townsites entered and surveyed pursuant to the Act of 1891, and for the survey and conveyance of patents to Indians and Eskimos occupying nonmineral lands within existing towns and villages.[34] The title conveyed was inalienable without the approval of the Secretary of the Interior and not subject to taxation, levy and sale, or claims of adverse occupancy.[35]

The self-government provisions of the 1934 Indian Reorganization Act were not applicable to Alaska until 1936.[36] Because of differences in organization between communities of Alaskan natives and Indian tribes elsewhere, Congress allowed that

> groups of Indians in Alaska not heretofore recognized as bands or tribes, but having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, may organize to adopt constitutions and bylaws and to receive charters of incorporation and Federal loans under [the Indian Reorganization Act].[37]

Congress also authorized the Secretary of the Interior to designate as an Indian reservation any land previously "reserved" for the use of Indians or Eskimos, together with adjacent public lands or those occupied by Indians or Eskimos.[38] Two years later the secretary was also given the authority to reserve tracts of up to 640 acres of the public domain for "schools, hospitals, and such other purposes as may be necessary" to administer the affairs of Alaskan Indians, Eskimos, and Aleuts.[39]

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[30] Act of Aug. 24, 1912, ch. 387, § 4, 37 Stat. 512.

[31] *Id.* at § 17.

[32] *Id.* § 3.

[33] Act of Apr. 21, 1915, ch. 11, 1915 Alas. Sess. Laws, p. 24, *amended by* Act of May 1, 1917, ch. 25, 1917 Alas. Sess. Laws, p. 47, *repealed by* Act of Apr. 13, 1929, ch. 23, 1929 Alas. Sess. Laws, p. 45.

[34] Act of May 25, 1926, ch. 379, 44 Stat. 629 (repealed by Pub. L. No. 94-579, § 703(a), 90 Stat. 2790 (1976)).

[35] *Id.*

[36] Act of June 18, 1934, ch. 576, 48 Stat. 984, *amended by* Act of May 1, 1936, ch. 254, 49 Stat. 1250 (*codified at* 25 U.S.C. §§ 461-79).

[37] *Id.*

[38] Act of May 1, 1936, ch. 254, § 2, 49 Stat. 1250 (repealed by Pub. L. No. 94-579, § 704(a), 90 Stat. 2792 (1976)).

Alaska's long road to statehood ended in 1959 with its admission to the Union. The Statehood Act[40] contained two important provisions affecting Alaskan natives. First, the state disclaimed

> all right and title to any lands or other property . . . (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts . . . or is held by the United States in trust for said natives . . . [which] lands or other property . . . shall be and remain under the absolute jurisdiction and control of the United States.[41]

Second, the act provided that "the State of Alaska is hereby granted and shall be entitled to select, within twenty-five years" more than 103 million acres of "vacant, unappropriated, and unreserved" public lands.[42] The second was probably the more important of the two provisions because it set the stage for the battle which culminated in the Alaska Native Claims Settlement Act.[43]

In 1961 the Bureau of Indian Affairs filed the first of a flood of native protests over state selections; within a decade between 80 and 90 percent of the land in Alaska was subject to native protests or other claims.[44] When, in 1966, natives protested the federal sale of oil and gas leases on the North Slope, Interior Secretary Udall responded by suspending the lease sale and freezing the disposition of all federal land in Alaska until native claims were settled.[45] After oil was discovered at Prudhoe Bay and the Alaska Pipeline proposed, a strange troika coalition seeking settlement was created: Natives seeking "title" to their aboriginal lands; the State of Alaska seeking to clear Native title so it could select its lands; the major oil companies—national and international—seeking to clear Native title so that the "freeze" could be lifted and a pipeline built.[46]

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[39] Act of May 31, 1938, ch. 304, 52 Stat. 593 (repealed by Pub. L. No. 94-579, § 704(a), 90 Stat. 2792 (1976)).

[40] Act of July 7, 1958, Pub. L. No. 85-508, 72 Stat. 339 (*codified at* 48 U.S.C. prec. § 21 note).

[41] *Id.* § 4.

[42] *Id.* § 6.

[43] 43 U.S.C. §§ 1601-1628.

[44] Block, *Alaskan Native Claims*, 4 Nat. Resources Law 223, 223 (1971) estimates 80 percent, based upon claims of nearly 300 million of approximately 375 million acres in Alaska. American Indian Policy Review Commission, Special Joint Task Force Report on Alaskan Native Issues 6 (1976), estimates that claims totaled approximately 337 million acres, or 90 percent of the state.

[45] The freeze was formalized Jan. 17, 1969, by Public Land Order 4582, 34 Fed. Reg. 1025. It was extended Dec. 8, 1970, by Public Land Order 4962, 35 I Reg.

Congress responded in 1971 with the passage of the Alaska Native Claims Settlement Act.[47] The Act extinguished all native claims based upon aboriginal title, "if any," and authorized the distribution of approximately 40 million acres of land and nearly one billion dollars to Alaskan natives as compensation.[48] Natives were authorized to organize twelve "regional corporations" and nearly 300 "village corporations" to share the settlement.[49] The shareholders of a village corporation are the members of the village; likewise, the shareholders of a regional corporation are those natives originating within the region.[50] Each village corporation was to select and receive in fee simple the surface rights to between 23,040 and 161,280 acres from the immediate vicinity.[51] Regional corporations are to hold in fee simple the subsurface rights to village lands, together with both surface and subsurface rights to additional lands selected from within each region's boundaries.[52]

Settlement Act lands thus are to be held in a manner quite unlike that of any Indian lands outside of Alaska. Land received under the Settlement Act may be sold by its corporate owners, but stock in regional and village corporations cannot be sold until

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18,874, and June 17, 1971, by Public Land Order 5081, 36 Fed. Reg. 12,017. Public Land Order 4582 was revoked by the Alaska Native Claims Settlement Act, 43 U.S.C. § 1616(d)(1).

[46] TASK FORCE REPORT, *supra* note 44, at 6.

[47] Act of Dec. 18, 1971, Pub. L. No. 92-203, 85 Stat. 688 (*codified at* 43 U.S.C. § 1601-1628). *See generally*, Lazarus & West, *The Alaska Native Claims Settlement Act: a Flawed Victory*, 40 LAW & CONT. PROB. 132 (1976); Lysyk, *Approaches to Settlement of Indian Title Claims: The Alaskan Model*, 8 U. BRIT. COLUM. L. REV. 321 (1973); Comment, *Charitable Donations under the Alaska Native Claims Settlement Act*, 3 UCLA-ALAS. L. REV. 148 (1973).

[48] 43 U.S.C. §§ 1603, 1605(a), 1608, 1611, 1613, 1615. The Metlakatla Indians of the Annette Islands Reserve are not eligible for benefits under the Settlement Act. *Id.* § 1618(a). Other reservations were revoked, but the natives of such reservations were given an option to acquire in fee simple the lands formerly within the reservations. *Id.* § 1618.

[49] *Id.* §§ 1606, 1607.

[50] *Id.* §§ 1606(g), 1607(a).

[51] *Id.* §§ 1611(a) & (b), 1613(a) & (b), 1615.

[52] *Id.* §§ 1611(d), 1613(e), (f).

1991.[53] Except for land that is developed or leased to third parties, Settlement Act lands are also exempt from state and local real property taxes until 1991.[54] The corporations that own the lands are creatures of state law; they are not entitled to sovereign immunity as are tribes and with few exceptions are subject to taxation like any other state-created corporation.[55]

Alaska and the Indian Trade and Intercourse Acts

It was not long after the ratification of the Constitution that Congress adopted the first of a series of acts regulating trade and intercourse with Indian tribes.[56] The 1790 Intercourse Act decreed that "no person shall be permitted to carry on any trade or intercourse with the Indian tribes without a license for that purpose"[57]" and provided as a penalty the forfeiture of any goods "as are usually vended to the Indians" in the possession of any person found "in the Indian Country" without a license.[58] Perhaps the act's most important provision was the one declaring that

> no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of preemption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States.[59]

"Indian country" was left undefined until it was set out by metes and bounds in the 1796 Intercourse Act,[60] an approach that was unchanged in the 1799 and 1802 Intercourse acts.[61]

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[53] *Id.* §§ 1606(h), 1607(c). *See* Note, *Alaska Native Claims Settlement Act: Analysis of the Protective Clauses of the Act Through a Comparison With the Dawes Act of 1887,* 4 Am. Indian L. Rev. 269 (1976).

[54] 43 U.S.C. § 1620(d).

[55] Both regional corporations and village corporations are incorporated under state law. *Id.* §§ 1606(d), 1607(a). Tax exemptions are found at *id.* § 1620. As to the sovereign immunity of tribes from suit, *see* United States v. United States Fid. & Guar. Co., 309 U.S. 506 (1940); Johnson v. Chilkat Indian Village, 457 F. Supp. 384 (D. Alas. 1978) (Alaskan native village); Atkinson v. Haldane, 569 P.2d 151 (Alas. 1977) (Metlakatla Indian community). Settlement Act corporations are subject to suit. *See, e.g.*, Aleut Corp. v. Arctic Slope Regional Corp., 417 F. Supp. 900 (D. Alas. 1976).

[56] *See generally* F. Prucha, American Indian Policy in the Formative Years (1962).

[57] Act of July 22, 1790, ch. 33, § 1, 1 Stat. 137. The act was a temporary measure and was reenacted every three years until a permanent version was passed in 1802. Act of Mar. 30, 1802, ch. 13, 2 Stat. 139.

[58] Act of July 22, 1790, ch. 33, § 3, 1 Stat. 137.

[59] *Id.* § 4.

[60] Act of May 19, 1796, ch. 30, 1 Stat. 469.

The final Intercourse Act was passed in 1834.[62] Its first section provided:

> That all that part of the United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the territory or Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.[63]

The act proscribed the operation of "any distillery for manufacturing ardent spirits,"[64] and forbade any person to "sell, exchange, or give, barter or dispose of, any spirituous liquor or wine to an Indian,"[65] in the Indian country. It continued the requirement of a license to reside or trade within the Indian country,[66] and declared that "no purchase, grant, lease, or other conveyance of lands, of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution."[67]

Alaska as "Indian Country"

At the time of the enactment of the 1834 Intercourse Act the United States included only that portion east of the Mississippi River plus those portions known as the Louisiana Purchase[68] and the Red River Country.[69] The rest of what is now the fifty states was acquired through annexation in 1845 and 1898,[70] by agreement with Britain in 1846,[71] and through cessions from Mexico in

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[61] Act of Mar. 3, 1799, ch. 46, 1 Stat. 743; Act of Mar. 30, 1802, ch. 13, 2 Stat. 139. Section 1 of the 1802 Act provided that the boundary line was to be altered automatically should lands be ceded by tribes.

[62] Act of June 30, 1834, ch. 161, 4 Stat. 729.

[63] *Id.* § 1.

[64] *Id.* § 21.

[65] *Id.* § 20.

[66] *Id.* § 4.

[67] *Id.* § 12.

[68] Comprising most of the Great Plains region west of the Mississippi River, acquired by the Treaty of Apr. 30, 1803, United States-France, 8 Stat. 200.

[69] The basin of the Red River of the North, acquired by the Convention of Oct. 20, 1818, United States-Great Britain-France, 8 Stat. 248.

[70] Texas was admitted into the Union pursuant to the Joint Resolution of Mar. 1, 1845, 5 Stat. 797. Hawaii was annexed pursuant to the Joint Resolution of July 7, 1898, 30 Stat. 750.

[71] Conflicting claims to the Oregon country by Britain and the United States were settled by the Treaty of June 15, 1846, United States-Great Britain, 9 Stat. 869.

1848 and 1853[72] and Russia in 1867.[73] Congress expressly extended the 1834 Intercourse Act over the Oregon territory in 1850[74] and the New Mexico and Utah territories in 1851,[75] but never over Alaska, California, Hawaii, or Texas.

When an attempt was made in 1872 to enforce the liquor provisions of the 1834 Act in Alaska in *United States v. Seveloff*,[76] the trial court dismissed the indictment on the ground that the 1834 Act had never been extended expressly to Alaska and, therefore, was inapplicable. The United States District Attorney had argued for the United States that Alaska was part of the Indian country, both because it was inhabited by Indians and because the 1834 Act had been extended over Alaska, *proprio vigore*, at the time of its cession from Russia.

> The "Indian Country" is only that portion of the United States or its territories, which has been declared to be such by an act of congress. . . .[77] It has been so common a habit of congress upon the acquisition of territory to specially extend the laws of the United States over it, . . . that if congress had intended this or any other provision of the intercourse act to be in force in Alaska, it would, in accordance with its common practice, have so declared. . . .[78]

There was precedent for this holding in *United States v. Tom*,[79] where the supreme court of the Territory of Oregon had held that the 1834 Intercourse Act had effect in Oregon only by virtue of its having been extended by the Act of 1850.

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[72] The Mexican Cession by the Treaty of Guadalupe Hidalgo, Feb. 2, 1848, United States-Mexico, 9 Stat. 922; the Gadsden Purchase by the Treaty of Dec. 30, 1853, United States-Mexico, 10 Stat. 1031.

[73] Alaska was acquired by cession from Russia, Treaty of Mar. 30, 1867, United States-Russia, 15 Stat. 539.

[74] The Act of June 5, 1850, ch. 16, § 5, 9 Stat. 437, provided: "That the law regulating trade and intercourse with the Indian tribes *east of the Rocky Mountains*, . . . as may be applicable, be extended over the Indian tribes in the Territory of Oregon. . . ." (Emphasis added.) Oregon Territory comprised what are now the states of Washington, Oregon, and Idaho.

[75] Act of Feb. 27, 1851, ch. 14, § 7, 9 Stat. 574. New Mexico Territory comprised what are now the states of New Mexico and Arizona (except for the area added by the Gadsden Purchase in 1853). Utah Territory encompassed what are now western Colorado and the states of Utah and Nevada.

[76] 27 F. Cas. 1021 (No. 16,252) (D. Or. 1872).

[77] *Id.* at 1022.

[78] *Id.* at 1024.

[79] 1 Or. 26 (1853). *Accord*, Robinson v. Caldwell, 67 F. 391 (9th Cir. 18

In 1873, Congress reacted by extending over Alaska sections 20 and 21 of the 1834 Intercourse Act.[80] Later that same year Congress enacted the first Revised Statutes, collecting together all public laws of a permanent and general nature. The 1873 Revised Statutes repealed and reenacted all included provisions into positive law and by implication repealed any provisions not included.[81] Paradoxically, the Revised Statutes omitted the 1834 Intercourse Act's definition of Indian country but did not repeal those sections of the 1834 Act that applied only in Indian country. One court ruled that this meant there was no longer any Indian country except within Indian reservations,[82] but the Supreme Court held otherwise in *Ex parte Crow Dog*[83] in 1883. The issue in *Crow Dog* was whether a homicide of one Indian by another Indian on the Sioux Reservation was within the provisions of Revised Statutes §§ 2145 and 2146,[84] which, by their terms, apply only to Indian country. The Court held that the killing had been committed within Indian country and was therefore not punishable by other than the Sioux Tribe. Six years earlier in *Bates v. Clark*[85] the Court had held that:

> [A]ll the country *described by the act of 1834 as Indian country* remains Indian country so long as the Indians retain their original title to the soil, and ceases to be Indian country whenever they lose that title, in the absence of any different provision by treaty or by act of Congress.[86]

The Court in *Crow Dog* held that this definition applied to

> all the country to which the Indian title has not been extinguished within the limits of the United States, even when not within a reservation expressly set apart for the exclusive occu-

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80. Act of Mar. 3, 1873, ch. 227, 17 Stat. 510, 530.

81. Rev. Stat. § 5596.

82. Forty-three Cases of Cognac, 14 F. 539 (C.C.D. Minn. 1882).

83. 109 U.S. 556 (1883).

84. Section 2145 is derived from section 25 of the 1834 Intercourse Act, Act of June 30, 1834, ch. 161, 4 Stat. 729, and provides: "Except as to crimes, the punishment of which is expressly provided for in this Title, the general laws of the United States as to the punishment of crimes committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to the Indian country." Rev. Stat. § 2146 provides that "The preceding section shall not be construed to extend to [c]rimes committed by one Indian against the person or property of another Indian, nor [to] any Indian committing any offense in the Indian country who has been punished by the local law of the tribe . . . ." These two sections are now codified at 18 U.S.C. § 1152.

85. 95 U.S. 204 (1877).

86. *Id.* at 209 (emphasis added).

pancy of Indians, although much of it has been acquired since the passage of the act of 1834, and notwithstanding the formal definition in that act has been dropped from the statutes, excluding, however, any territory embraced within the exterior geographical limits of a State, not excepted from its jurisdiction by treaty or by statute, at the time of its admission into the Union, but saving, even in respect to territory not thus excepted and actually in the exclusive occupancy of Indians, the authority of Congress over it, under the constitutional power to regulate commerce with the Indian tribes, and under any treaty made in pursuance of it."[87]

Although this definition seems to include Alaska, a circuit court three years later in *Kie v. United States*[88] ruled that Alaska was not Indian country except for purposes of sections 20 and 21 of the 1834 Intercourse Act. Kie had been convicted of manslaughter, alleged to have been committed in 1884 in Juneau. On appeal he argued that the killing had taken place within Indian country and was therefore not punishable pursuant to sections 2145 and 2146 of the Revised Statutes. Noting the *Seveloff* case and the subsequent extension of sections 20 and 21 over Alaska by Congress, the court concluded that "this legislation . . . is equivalent to a declaration that Alaska is not to be considered 'Indian country,' only so far as concerns the introduction and disposition of spirituous liquors therein."[89]

The Intercourse Acts in Alaska

Whether a particular area of Alaska is Indian country is now largely a question of only academic interest. As amended in 1958, Public Law 280[90] granted Alaska civil and criminal jurisdiction over all Indian country in that state; the issue should not arise again unless the state retrocedes such jurisdiction.

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[87] 109 U.S. 556, 561 (1883).

[88] 27 F. 351 (C.C.D. Or. 1886). Section 23 of the 1834 Intercourse Act, providing for the use of military force to apprehend persons in Indian country in violation of any provision of the 1834 Act, was applicable in Alaska by implication of the extension there of sections 20 and 21. Waters v. Campbell, 29 F. Cas. 412 (No. 17,265) (C.C.D. Or. 1877); *In re* Carr, 5 F. Cas. 115 (No. 2432) (D. Or. 1875). Sections 20 and 21 were repealed by implication by the more stringent liquor provisions of section 14 of the 1884 Alaska Organic Act, Act of May 17, 1884, ch. 53, 23 Stat. 24. United States v. Warwick, 51 F. 280 (D. Alas. 1892); United States v. Nelson, 29 F. 202 (D. Alas. 1886). The sale or gift of liquor or firearms to Indians, including Alaskan natives, was forbidden by the Act of Mar. 3, 1899, ch. 429, § 142, 30 Stat. 1253, 1274.

[89] 27 F. 351, 353 (C.C.D. Or. 1886). *Accord*, 14 Ops. Att'y Gen'l 290 (1873); 16 Ops. Att'y Gen'l 141 (1878); F. COHEN, FEDERAL INDIAN LAW 350 (1942, rprnt. 1971).

[90] 18 U.S.C. § 1162; 28 U.S.C. § 1360. Amended to include Alaska by the Act of Aug. 8, 1958, Pub. L. 85-615, 72 Stat. 545.

The applicability of most provisions of the 1834 Intercourse Act in Alaska has never been considered directly by the courts. Substantial judicial authority, as well as congressional practice, indicates that particular provisions are not in effect unless they have been expressly extended.[91] Congress did extend two sections of the 1834 Act in 1873[92] and, by enactment of 18 U.S.C. sections 1151-1165 in 1948, made applicable certain criminal provisions of the 1834 Act.[93] However, neither Congress nor the courts have ever declared the balance of its provisions to be in effect in Alaska.

It seems anomalous that federal laws general on their face should apply to one area within the United States but not to another. The explanation of the courts, that laws must be extended expressly to newly acquired territory for them to apply, provides only a partial answer. Further explanation lies in the fact that the Intercourse acts are an exercise of congressional power under the Constitution to regulate commerce with the Indian tribes.[94] Failure to extend the bulk of the provisions of the 1834 Act to Alaska reflected an apparent determination to regulate commerce with Alaskan natives differently in some respects than with Indian tribes elsewhere.

Native Property Rights in Alaska

By having failed to extend section 12 of the 1834 Intercourse

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[91] Robinson v. Caldwell, 67 F. 391 (9th Cir. 1895); Kie v. United States, 27 F. 351 (C.C.D. Or. 1886); United States v. Seveloff, 27 F. Cas. 1021 (No. 16,252) (D. Or. 1872); United States v. Tom, 1 Or. 26 (1853). *Accord*, Waters v. Campbell, 29 F. Cas. 412 (No. 17,265) (C.C.D. Or. 1877); *In re* Carr, 5 F. Cas. 115 (No. 2432) (D. Or. 1875). *See* United States v. Santa Fe Pac. Ry., 314 U.S. 339, 347-48 (1941); United States v. Candelaria, 271 U.S. 432, 441-42 (1926); United States v. Joseph, 94 U.S. 614 (1876). *See also* Act of June 5, 1850, ch. 16, § 5, 9 Stat. 437, set out *supra*, note 74.

[92] Act of Mar. 3, 1873, ch. 227, 17 Stat. 510, 530, extended sections 20 and 21 of the 1834 Act to Alaska. See also note 88 *supra*.

[93] 18 U.S.C. § 1152, concerning crimes applicable in Indian country, is derived from section 25 of the 1834 Act; section 1160, concerning reparation to Indians whose property has been the subject of a crime by a white person, is derived from section 16 of the 1834 Act. 18 U.S.C. § 1151 defines Indian country in terms substantially different from its predecessor, section 1 of the 1834 Act, while section 21 of the 1834 Act, prohibiting the dispensation of liquor in the Indian country, is found substantially revised at 18 U.S.C. § 1154.

[94] U.S. Const. art. I, § 8, cl. 3; United States v. Holliday, 70 U.S. (3 Wall.) 407 (1865).

Act to Alaska,[95] Congress declined to deny Alaskan natives the power to alienate their lands. Alaskan natives did in fact alienate lands, and courts upheld the transfers except in cases where the federal government sought to set aside the conveyances as fraudulent.[96] The transfers were not of aboriginal title, however, but of rights created by special congressional legislation. The most important of these rights were created by section 8 of the 1884 Alaska Organic Act.[97]

Judicial Interpretation of the 1884 Organic Act

One of the earliest cases to interpret the 1884 Act suggested that it was express recognition of the "right of the American citizen to go onto public lands, occupy, possess, use, and improve the same, with the view of ultimately obtaining title."[98] The court appears to have been referring to a settler's right of preemption on the public domain.[99] The case was cited with approval by the Supreme Court in 1889 in *Malony v. Adsit*,[100] an action to recover possession of a tract of land in Juneau. There the Court found that "for more than nine years prior to April 29, 1891 [plaintiff] and his grantors were the owners by right of prior occupancy and actual possession of the land in dispute."[101] The defendant claimed that the complaint was defective under the applicable rules of pleading because it had failed to plead "the nature of [plaintiff's] estate in the property, whether it be in fee, for life or for a term of years."[102] The Court held for the plaintiff, explaining that "[i]n the condition of things in Alaska under the act of May 17, 1884, . . . the only titles that could be held were those arising by reason of possession and continued possession, which might ultimately ripen into a fee simple title under letters patent . . . when Congress might so provide.'"[103]

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[95] 25 U.S.C. § 177, set out in text accompanying note 67, *supra*.

[96] United States v. Cadzow, 5 Alas. 125 (D. Alas. 1914); United States v. Berrigan, 2 Alas. 442 (D. Alas. 1905).

[97] Act of May 17, 1884, ch. 53, § 8, 23 Stat. 24. See text accompanying notes 13-18, *supra*.

[98] Carroll v. Price, 81 F. 137, 139 (D. Alas. 1896).

[99] Under the preemption laws, Rev. Stat. §§ 2257-88 (*codified in* 43 U.S.C.), a citizen might settle on lands subject to preemption and obtain a right of first purchase to such lands. This right was assertable against third parties, but not against the federal government until all preliminary acts, including payment of the purchase price, are performed by the settler. *See* Shepley v. Cowan, 91 U.S. (1 Otto) 330 (1875); Yosemite Valley Case, 82 U.S. (15 Wall.) 77 (1872).

[100] 175 U.S. 281 (1899).

[101] *Id.* at 28.

[102] *Id.*

Six years later in *Russian-American Co. v. United States*,[104] the Supreme Court found it "quite clear" that section 8 of the 1884 Act had "recognized the rights of such Indians or other persons as were in possession of lands at the time of the passage of the act, and *reserved to them the power to acquire title* thereto after future legislation had been enacted by Congress."[105] In that case the packing company had settled and erected improvements on Afognak Island in 1889. When later that year the United States reserved the island as a fish culture station, the company claimed that it had a vested right to a patent under section 8 of the 1884 Act. The Court responded that since the company "did not take possession of this land until five years after the act of 1884 was passed, it was a mere trespasser."[106]

The packing company also claimed rights under the Act of March 3, 1891, providing for the issuance of patents to persons occupying lands "for the purpose of trade or manufactures."[107] The Court replied that "although the occupation and cultivation of public lands with a view to preemption confers a preference over others in the purchase of such lands by the *bona fide* settler," it conferred no rights against the United States.[108] "Such a vested right, under the preemption laws, is only obtained when the purchase money has been paid. . . ."[109]

It is clear that the Court did not think that the 1884 Organic Act had "recognized" a settler's preemptive rights because it clearly recognized that such rights could be acquired only by settlers under the preemption laws providing for the settlement and sale of the public domain. "[F]ar from Congress intending by this act to invite a settlement upon public lands in Alaska, a contrary inference arises from a subsequent clause of section 8, that 'nothing contained in this act shall be construed to put in force in said District the general land laws of the United States.'"[110]

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[103] *Id. Accord*, Haltern v. Emmons, 46 F. 452 (D. Alas. 1890), *aff'd mem.*, 159 U.S. 252 (1894); Miller v. Blackett, 47 F. 547 (D. Alas. 1891).

[104] 199 U.S. 570 (1905).

[105] *Id.* at 576 (emphasis added). *Accord*, Young v. Goldsteen, 97 F. 303, 308 (D. Alas. 1899); Miller v. Blackett, 47 F. 547 (D. Alas. 1891) (ejectment maintained against United States deputy-collector of customs).

[106] 199 U.S. 570, 576 (1905). *Accord*, Columbia Canning Co. v. Hampton, 161 F. 60, 64 (9th Cir. 1908).

[107] Act of Mar. 3, 1891, ch. 561, § 12, 26 Stat. 1095.

[108] 199 U.S. 570, 577 (1905).

[109] *Id*

[110] *Id* at 576.

The leading case where the rights of natives under the 1884 Act were at issue was *Sutter v. Heckman.*[111] There a bill in equity was brought to restrain the Alaska Packers Association from interfering with fishing rights inuring to certain uplands on the Tongass Narrows. Plaintiffs claimed ownership of the land and fishing rights through a chain of deeds originating in a quit-claim deed from a native, alleged to have been in possession at the enactment of the 1884 Act. The district court found that the original grantor had in fact occupied part of the land claimed. As to that part, the deed from the native had "conveyed his possessory rights and his fishing rights, whatever they were . . . [which] should be protected under the act of Congress, to the same extent that they would be under a patent, until the Congress of the United States shall otherwise legislate."[112]

The Ninth Circuit Court of Appeals affirmed in *Heckman v. Sutter.*[113] To the defendants' contention that the 1884 Act could only have protected rights to land above the high water mark, the court replied that the act "was sufficiently general and comprehensive" to include tidelands.[114]

> It is well settled that the United States government, while it holds country as a territory, . . . may . . . *grant rights* in *or titles* to the tide lands of such territory as well as the public lands above high-water mark. The case of Shiveley [*sic*] v. Bowlby . . . leaves nothing more to be said on that question.[115]

The circuit court in *Heckman* clearly considered the 1884 Act to have been a grant of rights to persons in possession of lands. Similarly, the Supreme Court in the *Russian-American Co.* case declared that the Act had "reserved to [Indians and other persons] the power to acquire title,"'[116] indicating that such persons had obtained vested rights to title. In 1947, in *Miller v. United States*, the Ninth Circuit adopted the position that the 1884 Act was a grant of such vested rights and held that these rights were property interests requiring fifth amendment compensation for their taking.[117] As recently as 1970, the Ninth Circuit cited its holding in *Heckman* along with *Shively v. Bowlby* to support its holding that the United States "[w]hile holding the country as a territory . . . might even grant rights in and titles to lands which normally would go to a state on its admission."[118]

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[111] 1 Alas. 188 (D. Alas. 1901).

[112] *Id.* at 200.

[113] 119 F. 83 (9th Cir. 1902), *aff'd on reh.*, 128 F. 393 (9th Cir. 1904). *Followed in* Worthen Lumber Mills v. Alaska Juneau Gold Mining Co., 229 F. 966 (9th Cir. 1916) (native grantor); McCloskey v. Pacific Coast Co., 160 F. 794 (9th Cir. 1908) (nonnative grantor).

[114] 119 F. 83, 88 (9th Cir. 1902), *aff'd on reh.*, 128 F. 393 (9th Cir. 1904).

[115] *Id.* (emphasis added). Shiveley v. Bowlby, 152 U.S. 1, 48 (1894), declared that: "Congress has the power to make grants of lands below high water mark of navigable waters in any Territory of the United States, whenever it becomes necessary to do so in order to perform international obligations, or to effect the improvement of such lands for the promotion and convenience of commerce with foreign nations and among the several States, or to carry out other public purposes appropriate to the objects for which the United States hold the Territory." *Heckman* indicated that rights in tidelands were subject to the right of navigation over public waters. 119 F. at 88; 128 F. at 396-97. *Accord*, Carroll v. Price, 81 F. 137, 142 (D. Alas. 1896).

Comparison of the language of the three "dispositive" provisions of section 8 of the 1884 Act supports such a construction of a grant of vested rights to title. Persons with mining claims were allowed to perfect them under the general mining laws, whereas missionaries were only to be "continued in occupancy" pending "action by Congress."[119] Significantly, "Indians and other persons" were to be protected in possession of lands actually used, occupied, or claimed, with only "the *terms* under which such persons may acquire title"[120] reserved for future congressional legislation.

The 1884 Organic Act and Aboriginal Title

It is important to note that none of the cases construing the 1884 Act distinguished between natives and other persons. It is enlightening that the Ninth Circuit in its 1947 decision in *Miller* upheld rights under the 1884 Act at the same time it explicitly held that aboriginal title in Alaska had not survived the 1867 Treaty of Cession from Russia.[121] In fact, until the Court of Claims decision in *Tee-Hit-Ton* in 1954, no court had ever held aboriginal title to exist in Alaska.[122]

Although the 1884 Act did not distinguish between possession by natives as individuals and as communities, the courts have held that rights under the Act may vest in either.[123] To the extent that lands claimed by aboriginal title are coterminous with lands in which communal rights are held under the 1884 legislation, what is the effect of the 1884 Act on aboriginal title? It is possible that the 1884 grants were merely intended to supplement the natives' aboriginal claims, giving them alternative bases on which to assert their rights. On the other hand, the grants may have acted, either directly or through subordinating aboriginal tenure to federal tenure, to supplant possessory rights under aboriginal tenure with equal rights under federal tenure.

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[116] Russian-American Co. v. United States, 199 U.S. 570, 576 (1905).

[117] 159 F.2d 997, 1003 (9th Cir. 1947).

[118] United States v. Alaska, 423 F.2d 764, 768 (9th Cir. 1970). *See also* United States v. Romaine, 255 F. 253, 259 (9th Cir. 1919).

[119] Act of May 17, 1884, ch. 53, 8, 23 Stat. 24.

[120] *Id.* (emphasis added).

[121] Miller v. United States, 159 F.2d 997, 1001-1002 (9th Cir. 1947); Treaty of Mar. 30, 1867, United States-Russia, 15 Stat. 539.

[122] Tee-Hit-Ton Indians v. United States, 120 F. Supp. 202 (Ct. Cl. 1954), *aff'd*, 348 U.S. 272 (1955).

The classical concept of aboriginal title is that of a possessory proprietary interest inuring in tribes by virtue of aboriginal use and occupancy "from time immemorial." The right to possession is held under aboriginal tribal tenure, not federal or state tenure, until it might be legitimately extinguished, usually through cession by treaty to the United States in favor of the holder of the "preemption right" or "naked fee."[124] Such a cession to the federal government is an intertenurial transfer of property, as well as a cession of territory, and is the source of the right to possession within the federal and state tenure systems.[125]

As we have seen, Congress declined to mandate this paradigm of aboriginal rights in Alaska. It is instructive that not all tribes hold their aboriginal lands by aboriginal tenure. The New Mexico Pueblos hold much of their lands under grants from Spain, later confirmed by the United States.[126]

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[123] Heckman v. Sutter, 119 F. 83 (9th Cir. 1902) (individual); Johnson v. Pacific Coast S.S. Co., 2 Alas. 224, 240 (D. Alas. 1904) (village).

[124] Beecher v. Wetherby, 95 U.S. (5 Otto) 517, 525 (1877); Worcester v. Georgia, 31 U.S. (6 Pet.) 515, 543-44 (1832).

[125] Northern Pac. Ry. v. United States, 227 U.S. 355, 366 (1913); United States v. Winans, 198 U.S. 371, 381 (1905).

[126] Spanish policy, if not always practiced, was to grant to the Pueblos the lands they occupied or claimed, and to forbid others to settle the lands or to purchase them without official permission. H. Brayer, Pueblo Indian Land Grants of the "Rio Abajo," New Mexico 8-16 (1939); C. Royce, Indian Land Cessions in the United States 539-45 (1900). This policy was continued after Mexican independence in 1821, with the Pueblos also enjoying rights of Mexican citizenship. Brayer, *supra*, at 17-20. After the Mexican-American War, most of the Southwest was ceded to the United States by the Treaty of Guadalupe Hidalgo in 1848. Treaty of Feb. 2, 1848, 9 Stat. 922.

Congress in 1854 ordered the investigation and report concerning the Pueblo land claims. Act of July 22, 1854, ch. 103, § 8, 10 Stat. 308, 309. The claims of seventeen pueblos were confirmed in 1858, and the lands patented to them in fee simple in 1864. Act of Dec. 22, 1858, ch. 5, 11 Stat. 374; Brayer, *supra*, at 21. *See* Royce, *supra*, at 920-23 and plates 44 & 46. The claim of the Pueblo of Santa Ana was confirmed by the Act of Feb. 9, 1869, ch. 26, 15 Stat. 438.

Since the land grants are not within any reservation, the sovereign powers of the tribes are explainable only if they are aboriginal, notwithstanding that the tribes are understood to hold their titles in fee simple absolute, rather than by aboriginal tenure.[127] This suggests that a grant of a possessory interest to an aboriginal possessor may effectively transform the aboriginal quality of the right to possession.

It seems more than coincidence that within three years of the 1884 Organic Act, Congress forged a paradigmatic shift in its general Indian policy. Through passage of the Major Crimes Act of 1885[128] and the General Allotment Act of 1887,[129] Congress clearly initiated a new policy of intervention in internal tribal affairs, claiming the right to exercise jurisdiction over matters that previously had been within the exclusive realm of the tribes. It is suggested that the 1884 Organic Act was but another manifestation of this shift in Indian policy. By granting rights under federal tenure to natives and others in Alaska, Congress asserted the right to disregard the aboriginal tenure system and protect possessory interests on its own terms. This is particularly apparent considering that both native and nonnative possession was protected on exactly the same terms. Any conflict with aboriginal rights is wholly abstract, however, because such grants are completely consistent with native possession. The conflict is not with the aboriginal right to possession, which is protected, but with the sovereign aboriginal right to determine tenure without interference by another sovereign. Even this conflict is more apparent than real. As long as the United States asserts the right to forbid transfer of tribal land and claims the right of eminent domain over aboriginal lands, the difference between aboriginal title and possessory rights under federal or state tenure is merely descriptive, not substantive.

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[127] At present, the Pueblos reside on statutory and executive order reservations as well as land grants, with the reservations carefully abutting the granted lands. *See, e.g.*, Act of May 23, 1928, ch. 707, 45 Stat. 717 (Acoma Pueblo); Executive Order of Sept. 4, 1902, 3 KAPPLER, INDIAN AFFAIRS 687 (1913) (Nambe Pueblo); Executive Order of July 29, 1905, 3 KAPPLER, INDIAN AFFAIRS 687-88 (1913) (Santa Clara Pueblo). The pueblos of Picuris, Cochiti, Sandia, Isleta, Santa Ana, Santo Domingo, and San Juan are solely land grants.

[128] Act of Mar. 3, 1885, ch. 341, § 9, 23 Stat. 362 (*codified at* 18 U.S.C. § 1153). *See* ROYCE, *supra* note 126, at 920-23 and pl. 44, 46.

[129] Act of Feb. 8, 1887, ch. 119, 24 Stat. 388 (*codified at* 25 U.S.C. §§ 331-34, 339, 341-42, 348, 349, 381).

The Intersections of Aboriginal Title and Alaskan Native Property Rights

United States v. Santa Fe Pacific Ry.

In 1941 in *United States v. Santa Fe Pacific Ry.*,[130] the United States brought suit on behalf of the Hualapai Tribe to enjoin interference by the railroad with the tribe's possession and occupancy of certain lands in Arizona that the tribe claimed by aboriginal title. The railroad claimed title to the lands under a grant from the United States to its predecessor in 1866,[131] but the government asserted that the grant had conveyed title subject to the aboriginal interest.

The Court of Appeals of the Ninth Circuit had held that the United States had never recognized aboriginal title within the area of the Mexican Cession and that absent such recognition aboriginal title could not be asserted against a grantee of the United States.[132] In a unanimous opinion written by Justice Douglas, the Supreme Court rejected both this theory and the railroad's theory that aboriginal title need be "based upon a treaty, statute, or other formal government action."[133] The Court reasoned that if the Hualapais' aboriginal interest had not been extinguished prior to the date the title of the railroad's predecessor attached, then its predecessor "took the fee subject to the encumbrance of Indian title."[134] Disputing that the policy of the United States "of respecting such Indian title" was nonexistent in the Mexican Cession, the Court pointed to the fact that the 1834 Intercourse Act had been extended over the tribes in the New Mexico and Utah territories in 1851. "The Act of 1851 obviously did not create any Indian right of occupancy which did not previously exist. But it plainly indicates that in 1851 Congress desired to continue in these territories the unquestioned general policy of the Federal Government to *recognize such right of occupancy*."[135]

The Court held that the Hualapais' aboriginal title had not been extinguished by the time the railroad grant had attached in 1872; the railroad's predecessor therefore had taken the fee encumbered by aboriginal title. However, the Hualapais' subsequent request for and acceptance of a reservation in 1883 was held to have been an effective abandonment of their aboriginal interest outside the reservation. The railroad recently had quitclaimed its interest in lands within the reservation to the United States, and the Court accordingly ordered an accounting with respect to only those lands.[136]

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[130] 314 U.S. 339 (1941), *reh. denied*, 314 U.S. 716 (1942), *noted in* 10 GEO. WASH. L. REV. 753 (1942).

[131] Act of July 27, 1866, ch. 278, 14 Stat. 292.

[132] 314 U.S. 339, 345 (1941), *reh. denied*, 314 U.S. 716 (1942).

[133] *Id.* at 347.

[134] *Id.*

[135] *Id.* at 347-48 (emphasis added).

Tillamooks I and II

Five years later, in *United States v. Alcea Band of Tillamooks*,[137] the Supreme Court was divided on the issue of whether compensation was required for the taking by the United States without tribal consent of lands held by aboriginal title. Three Justices joined in the opinion of Chief Justice Vinson in requiring compensation under the fifth amendment, finding that "[a] contrary decision would ignore the plain import in traditional methods of extinguishing Indian title."[138] Noting that the "early acquisition of Indian lands, in the main, progressed by a process of negotiation and treaty," and that it had been "usual policy not to coerce the surrender of lands without consent and without compensation," Vinson concluded that "[s]omething more than sovereign grace prompted the obvious regard given to original Indian title."[139]

Two Justices joined in the dissenting opinion of Justice Reed, adopting the theory of the United States that compensation was required only where aboriginal title had received "some definite act of sovereign acknowledgment."[140] According to the dissent:

> The character of Indian occupancy of tribal lands is at least of two kinds: first, occupancy as aborigines until that occupancy is interrupted by governmental order; and second, occupancy when by an act of Congress they are given a definite area as a place upon which to live. When Indians receive recognition of their right to occupy lands by act of Congress, they have a right of occupancy which cannot be taken from them without compensation. But by the other type of occupancy, it may be

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[136] The Court without explanation failed to order an accounting as to lands outside the reservation for the period between 1872 and 1883. *See* 10 Geo. Wash. L. Rev. 753, 755 (1942).

[137] 329 U.S. 40 (1946) (*Tillamooks I*).

[138] *Id.* at 47.

[139] *Id.* at 47-48.

[140] *Id.* at 49.

called Indian title, the Indians get no right to continue to occupy the lands. . . .'[141]

This view of aboriginal title was rejected by four of the seven Justices who addressed the issue; seven out of eight Justices rejected Justice Black's theory that the jurisdictional act under which suit had been brought itself had compelled compensation; and the Court was split four to four over Chief Justice Vinson's contention that compensation was being awarded under the fifth amendment.[142] Nevertheless, some authorities read the case as standing for a right to compensation under the fifth amendment.[143] When *Tillamooks* came before the Court again four years later on the issue of whether interest was required on the award, the Court held *per curiam* that no interest was due because it was not a fifth amendment case.[144]

Miller v. United States

One year after the first *Tillamooks* opinion, in *Miller v. United States*,[145] the United States sought to use the Second War Powers Act[146] to condemn land in Juneau, Alaska. Certain natives filed an answer alleging ownership of the land based upon possession from time immemorial—aboriginal title. The lower court sustained the government's demurrer to the answer, holding that aboriginal title was not a compensable interest in land. On appeal, the Ninth Circuit opined that aboriginal title was indeed a compensable interest, citing *Tillamooks I*, but it held that any aboriginal title in Alaska had been extinguished by the Treaty of Cession from Russia in 1867.[147] Nevertheless, the Court upheld the natives' right to compensation based upon rights acquired under the 1884 Alaska Organic Act.[148] "In our opinion, the language used [in the 1884 Act] is susceptible of but one construction; i.e. that congress *guarantied [sic]* to all persons in possession of lands in Alaska at that date the right ultimately to acquire a perfect title to the same."[149] Relying upon numerous cases construing rights under the 1884 Act, the Court concluded that "[s]uch rights are compensable; for their holders are neither squatters nor outlaws."[150]

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[141] *Id.* at 57-58 (Reed, J., dissenting).

[142] Justice Jackson took no part in the decision. Chief Justice Vinson never expressly mentioned the fifth amendment, but it clearly was the basis for his opinion. *Accord*, 329 U.S. 40, 59-60 (1946) (Reed, J., dissenting). There was no other possible basis for recovery except for the jurisdictional act. Both the lead and dissenting opinions expressly held that the jurisdictional act had not required compensation. 329 U.S. at 45-46, 60.

[143] Miller v. United States, 159 F.2d 997, 1001 (9th Cir. 1947). *See also*, Cohen, *Original Indian Title*, 32 MINN. L. REV. 28, 56-58 (1947).

[144] United States v. Alcea Band of Tillamooks, 341 U.S. 48 (1951) (*Tillamooks* II).

[145] 159 F.2d 997 (9th Cir. 1947).

[146] Act of Mar. 27, 1942, ch. 199, § 201, 56 Stat. 177.

[147] Treaty of Mar. 30, 1867, United States-Russia, 15 Stat. 539; 159 F.2d 997, 1001-1002 (9th Cir. 1947).

[148] Act of May 17, 1884, ch. 53, § 8, 23 Stat. 24. The Court impliedly overruled United States v. Lynch, 7 Alas. 568 (D. Alas. 1927), which held that an alleg [illegible] of

Miller got the Tlingit claimants to trial, but in *United States v. 10.95 Acres of Land*[151] the trial court held that compensation was not due them after all because they had failed to show use or occupancy which was "notorious, exclusive and continuous, . . . [so] as to put strangers upon [actual] notice."[152] *Miller*'s dictum that aboriginal title was compensable was undermined by the Supreme Court's opinion in *Tillamooks II*. Still, it was clear that rights stemming from the 1884 Organic Act were compensable interests under the fifth amendment, at least until the United States Supreme Court spoke on the matter.

Tee-Hit-Ton Indians v. United States

The Supreme Court finally did address the question of Alaskan natives' interests in land in 1955 in *Tee-Hit-Ton Indians v. United States*.[153] There a clan of Tlingits sought fifth amendment compensation for a sale, by the United States, of timber from lands the clan claimed it held in aboriginal title. Faced with the argument that their aboriginal interest needed to have been specifically recognized by Congress to be compensable, the Tee-Hit-Tons argued that the 1884 and 1900 Organic Acts[154] were sufficient recognition. When the Supreme Court's opinion was handed down, Justice Reed was at the helm of a six-to-three majority denying the Tee-Hit-Tons' claim. "No case in this Court has ever held that the taking of Indian title or use by Congress required compensation," he declared.[155] Restating the theory he had urged in *Tillamooks I*, he found:

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possession from time immemorial was not sufficient to raise an issue of fact regarding possession as of May 17, 1884.

[149] 159 F.2d 907, 1003 (9th Cir. 1947), *quoting* Young v. Goldsteen, 97 F. 303, 308 (D. Alas. 1899) (emphasis supplied in *Miller*).

[150] 159 F.2d at 1003.

[151] 75 F. Supp. 841 (D. Alas. 1948).

[152] *Id.* at 843-44.

[153] 348 U.S. 272 (1955).

[154] Act of May 17, 1884, ch. 53, § 8, 23 Stat. 24; Act of June 6, 1900, ch. 786, § 27, 31 Stat. 321.

[155] 348 U.S. 272, 281 (1955). *But see* United States v. Alcea Band of Tillamooks,

> It is well settled that in all the States of the Union the tribes who inhabited the lands of the States held claim to such lands after the coming of the white man, under what is sometimes termed original Indian title or permission from the whites to occupy. That description means mere possession not specifically recognized as ownership by Congress. After conquest they were permitted to occupy portions of territory over which they had previously exercised "sovereignty," as we use that term. This is not a property right but a right of occupancy which the sovereign grants and protects against third parties. . . .[156]

The theory that specific recognition of aboriginal title by treaty or act of Congress was required for fifth amendment protection had triumphed. The Court gave short shrift to the Tee-Hit-Tons' contention that the 1884 and 1900 Organic Acts constituted specific recognition of their claims.[157] The Court also observed that "[b]efore the second Tillamook case, a decision was made on Alaskan Tlingit land held by *original Indian title.* Miller v. United States. *That opinion holds such a title compensable* under the Fifth Amendment on reasoning drawn from the language of this Court's first Tillamooks case."[158] Justice Reed disposed of *Miller*, however, by noting the Court's disapproval of that case in a footnote in *Hynes v. Grimes Packing Co.*[159] in 1949, where it had commented, per Justice Reed,

> We have carefully considered the opinion in Miller v. United States, *where it is held, that the Indian right of occupancy is compensable*. With all respect to the learned judges, familiar with Alaska land laws, we cannot express agreement with that conclusion. The opinion upon which they chiefly rely [citing *Tillamooks I*], is not an authority for this position. That opinion does not hold the Indian right of occupancy compensable without specific legislative direction to make payment.[160]

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341 U.S. 40 (1946); Cohen, *supra* note 143. Justice Reed sidestepped *Tillamooks I* by misreading it: "We think it must be concluded that the recovery in the *Tillamook* case was based upon statutory direction to pay for the aboriginal title in the special jurisdictional act . . . ." 348 U.S. at 284. This is clearly erroneous, as seven Justices in *Tillamooks I*, including Justice Reed, had rejected the jurisdictional act as a basis of recovery. *Accord*, Mickenberg, *supra* note 2, at 137. *See supra* note 142.

[156] 348 U.S. 272, 279 (1955).

[157] *Id.* at 278.

[158] *Id.* at 282 (emphasis supplied).

[159] 337 U.S. 86 (1949).

[160] *Id.* at 106 n.28 (emphasis supplied).

The Court concluded that "[t]his leaves unimpaired the rule" it claimed to derive from *Johnson v. McIntosh*,[161] "that the taking by the United States of unrecognized Indian title is not compensable under the Fifth Amendment."[162]

In his dissenting opinion, Justice Douglas adopted the Tee-Hit-Tons' argument and insisted that "[t]he conclusion seems clear that Congress in the 1884 Act recognized the claims of these Indians to their Alaskan lands."[163] However, neither the majority nor the dissent cited any case law pertaining to the 1884 Act except for *Miller*, which the majority misread and the dissent never mentioned.

The majority appeared confident in ruling against the Tee-Hit-Tons. "Our conclusion does not uphold harshness as against tenderness toward the Indians, but it leaves with Congress, where it belongs, the policy of Indian gratuities for the termination of Indian occupancy of Government owned land rather than making compensation for its value a rigid constitutional principle."[164] Congress eventually was more sympathetic toward the Alaskan natives than the Supreme Court and legislated the Alaska Native Claims Settlement Act,[165] but the *Tee-Hit-Ton* decision remains as the leading case on aboriginal title and the fifth amendment. Ironically, the Court was probably correct in denying the Tee-Hit-Tons' aboriginal title claims, but it was entirely mistaken as to the applicable law.

The Tee-Hit-Ton Case Examined

The *Tee-Hit-Ton* decision is but one of many deciding what is "property" for the purpose of the fifth amendment. The approach adopted by the Court to dispose of the Tee-Hit-Tons' claim, *i.e.*, denying that the interest involved constitutes "property," has been used often in cases involving the navigation servitude,[166] zoning restrictions,[167] and regulation of economic activity.[168] Use of the "no property" approach in *Tee-Hit-Ton* was a radical departure from its use in these contexts where claims to *uses* of real property of acknowledged ownership were at issue. In *Tee-Hit-Ton*, ownership of the realty *itself* was the basic dispute.

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[161] 21 U.S. (8 Wheat.) 543 (1823).

[162] 348 U.S. 272, 284 (1955).

[163] *Id.* at 294 (Douglas, J., dissenting).

[164] *Id.* at 290-91.

[165] 43 U.S.C. §§ 1601-28.

[166] *E.g.*, United States v. Rands, 389 U.S. 121 (1967); United States v. Willow River Power Co., 324 U.S. 499 (1945).

[167] *E.g.*, H.F.H., Ltd. v. Superior Court, 15 Cal. 3d 508 (1975), *cert. denied*, 425 U.S. 904 (1976); Consolidated Rock Products Co. v. Los Angeles, 57 Cal. 2d 515, *app. dismissed*, 371 U.S. 36 (1962).

Aside from the Court's basic approach to the fifth amendment, Justice Reed's analysis in *Tee-Hit-Ton* suffers from three fundamental errors that render his analysis extremely questionable. First, Reed's reliance upon *Johnson v. McIntosh*[169] to support his "well-settled" propositions regarding aboriginal title has caused perplexity and confusion in the theory of aboriginal title ever since.[170] Far from being "derived" from *McIntosh*, as Reed urged, the rule of *Tee-Hit-Ton* actually is at odds with that case. In *McIntosh*, plaintiffs sued for ejectment of defendant, who held the land in question under a grant from the United States. Plaintiffs claimed ownership of the land by purchase from an Indian tribe made prior to the cession of the land by the tribe, through treaty, to the United States. Among several grounds of decision,[171] the Supreme Court held that the plaintiffs' interest had been eclipsed by the subsequent cession of the land involved by the tribe. Chief Justice Marshall explained that "the person who purchases lands from the Indians, within their territory, incorporates himself with them, so far as respects the property purchased; holds their title under their protection, and subject to their laws."[172] Although at the time it was a common practice for tribes expressly to reserve in a treaty of cession any prior vested rights they wished to protect,"[173] the treaty involved in *McIntosh* did not contain any such provision.[174] Marshall held that the treaty therefore had operated to eclipse the plaintiffs' interest and to transfer the lands to the United States free of any encumbrance. The cession by the tribe without reservation of plaintiffs' rights had been an act of eminent domain. According to Marshall, "If they annul the grant, we know of no tribunal which can revise and set aside the proceeding. We know of no principle which can distinguish this case from a grant made to a native Indian. . ."[175]

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[168] *E.g.*, Federal Power Comm'n v. Hope Nat. Gas Co., 320 U.S. 591 (1944); Mugler v. Kansas, 123 U.S. 623 (1887).

[169] 21 U.S. (8 Wheat.) 543 (1823).

[170] *See* Henderson, *supra* note 2; Hookey, *supra* note 2, at 101.

[171] The Court held plaintiffs' title invalid on at least two other grounds. The holding most commonly referred to was that the tribes could not convey a complete title because their "power to dispose of the soil, at their own will, to whomsoever they pleased, was denied by the original fundamental principle, that discovery gave exclusive title to those who made it." 21 U.S. (8 Wheat.) 543, 574 (1823). *But see* Worcester v. Georgia, 31 U.S. (6 Pet.) 515, 544 (1832), where Marshall reformulated the discovery principle: "It was an exclusive principle which shut out the right of competition among those who had agreed to it . . . . It gave an exclusive right to purchase, but *did not found that right on a denial of the right of the possessor to sell.*" (Emphasis added.)

As a second ground for decision in *McIntosh*, the Court held that the Royal Proclamation of 1763, applicable because plaintiffs' purchases had been before the American Revolution, had reserved the lands claimed by plaintiffs to the tribes and forbidden purchase by British subjects. 21 U.S. (8 Wheat.) at 574-78. The 1763 Proclamation is still in effect in Canada, although evidently not in the far northern or western portions of the country. *See* Mickenberg, *supra* note 2, at 142. Portions of the proclamation are reprinted, *id.* at 155-56.

[172] 21 U.S. (8 Wheat.) 543, 593 (1823).

In *McIntosh*, Marshall explicitly recognized that a tribe's aboriginal proprietary interest exists within its own tenure system. This tenure system is not only separate from that of the federal government, but is actually a source of rights to the federal tenure system.[176] In *Tee-Hit-Ton*, Reed *assumed* that all rights were held under federal tenure. Failing to find an aboriginal property interest within federal tenure, Reed declared that specific congressional action was required to create one. According to one commentator:

> [T]he Court inaugurated a new judicial test of aboriginal property: the legal theory that Congress has the sole right to *delegate* to the Indian tribes their rights to aboriginal titles. Aboriginal title did not exist, then, because of the tribes' "original natural rights as the undisputed possessors of the soil from time immemorial," as stated in *Worcester*. Rather, under the Court's new theory of aboriginal title, it was vested in Congress.[177]

Second, Justice Reed failed to consider that the "specific recognition" test he championed in *Tillamooks I* and *Tee-Hit-Ton* also had been urged upon the Court in *United States v. Santa Fe Pacific Ry.*,[178] where the Court unanimously had rejected it. The Court there held that the railroad grantee had received fee title from the United States *encumbered* by the Hualapais' aboriginal title. The Court years earlier had held that a grant in fee of aboriginal title lands operates to convey the fee encumbered by aboriginal title.[179] The Court in *Santa Fe* upheld this result even where "a tribal [aboriginal title] claim to any particular lands [is not] based upon a treaty, statute, or other formal government action."[180]

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[173] *Id.* at 598. *Accord*, Barsh & Henderson, *supra* note 2, at 46 & n.63. *See, e.g.*, Treaty with the Wyandot of Sept. 29, 1817, art. 8, 7 Stat. 160; Treaty with the Cherokee of Feb. 27, 1819, art. 3, 7 Stat. 195; Treaty with the Choctaw of Oct. 18, 1820, art. 9, 7 Stat. 210.

[174] 21 U.S. (8 Wheat.) 543, 594 (1823).

[175] *Id.* at 593. *Accord*, Jackson v. Porter, 13 F. Cas. 235 (No. 7143) (C.C.N.D.N.Y. 1825).

[176] Northern Pac. Ry. v. United States, 227 U.S. 355, 366 (1913); United States v. Winans, 198 U.S. 371, 381 (1905).

[177] Henderson, *supra* note 2, at 112-13 (footnotes omitted).

[178] 314 U.S. 339, 345-47 (1941), *reh. denied*, 314 U.S. 716 (1942).

It is submitted that a possessory encumbrance on a fee simple estate, which also is indefeasible by the holder of the fee, is tantamount to "property" by any generally applicable definition. This being so, *Santa Fe* implicitly precluded any requirement of "specific recognition" for such an interest to be compensable. *Santa Fe* did not hold that recognition was *never* necessary, however. Rather, the Court found that the extension of, *inter alia*, sections 9, 10, 11, and 12 of the 1834 Intercourse Act over the Territory of New Mexico clearly indicated Congress' intention to continue there "the unquestioned general policy of the Federal Government to recognize [the Indian] right of occupancy."[181] When this is considered in light of the holding in *Kie v. United States*[182] that only sections 20 and 21 of the 1834 Act were ever extended over Alaska, it is apparent that Alaskan natives never came within the policy of recognizing aboriginal title found by the Court in *Santa Fe*, although they did receive protection from other sources. Justice Reed, therefore, could have distinguished *Santa Fe* by holding what it had implied, that Intercourse Act protection was necessary for aboriginal title to be asserted as property. At any rate, *Tee-Hit-Ton* can have decided nothing more than that a taking of aboriginal title not subject to Intercourse Act protection is not compensable. If the Court continues to require "recognition," it remains to be seen whether the Intercourse acts might not be sufficient recognition of aboriginal title so as to render it compensable property.

Finally, Justice Reed completely misread *Miller v. United States*[183] in both *Tee-Hit-Ton* and *Hynes v. Grimes Packing Co.*[184] By no stretch of the imagination had *Miller* "held . . . that

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179. Buttz v. Northern Pac. R.R., 119 U.S. 55, 66 (1886). *See, e.g.*, Beecher v. Wetherby, 95 U.S. 517, 525 (1877); Clark v. Smith, 38 U.S. (13 Pet.) 195, 201 (1839).

180. 314 U.S. 339, 347 (1941), *reh. denied*, 314 U.S. 716 (1942).

181. *Id.* at 348. *Accord*, Joint Tribal Council of Passamaquoddy Tribe v. Morton, 528 F.2d 370, 379 (1st Cir. 1975) (section 12 of the 1834 Act, 25 U.S.C. § 177).

182. 27 F. 351 (C.C.D. Or. 1886). See *infra*, text accompanying notes 74-89 and 91-93.

183. 159 F.2d 997 (9th Cir. 1947).

184. 337 U.S. 86 (1949).

the Indian right of occupancy . . . is compensable" under the fifth amendment.[185] While it is true that *Miller* devoted an inordinate amount of dictum to arguments that aboriginal title is compensable, the case clearly held that "'the Tlingits' 'original Indian title' to the tidelands in question was extinguished" by the 1867 Treaty of Cession.[186] *Miller* then went on to hold compensable *nonaboriginal* rights arising under the 1884 Organic Act, finding that the act had "been construed to constitute a Congressional 'guarantee' to *all persons in possession* of lands in Alaska *on the date of its enactment*, that they were not to be disturbed in their occupancy.'"[187]

Justice Reed's misreading dictum for holding seems bad enough, but it is almost tragic that the Justice apparently never understood what the Court in *Miller did* hold, *i.e.*, that rights arising under the 1884 Act, recognized by the Supreme Court itself as early as 1899 and repeatedly regarded by the courts as separate from the concept of aboriginal title, were compensable under the fifth amendment. Justice Reed failed to discern that these rights existed at all. It is also unlikely that Reed realized that *Miller* held that aboriginal title in Alaska had been extinguished in 1867, even though the opinion of the Court of Claims in *Tee-Hit-Ton* had specifically addressed this aspect of *Miller*.[188] Ironically, *Tee-Hit-Ton* is considered to have overruled this holding by implication.[189]

Epilogue

Several years after the *Tee-Hit-Ton* decision, in *United States v. Alaska*,[190] the federal government brought suit to quiet title to certain tidelands on the theory that it held them in trust for natives under the 1884 Organic Act. The state claimed title under the Tidelands Act,[191] which granted all tidelands in Alaska, with certain exceptions, to the state. The court held that lands subject to claims under the 1884 Act came within the exception to the grant of any land held "by the United States for the benefit of any tribe, band, or group of [natives] or for individual

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[185] *Id.* at 106 n.28.

[186] Miller v. United States, 159 F.2d 997, 1002 (1947).

[187] *Id.* at 1003.

[188] Tee-Hit-Ton Indians v. United States, 120 F. Supp. 202, 206-207 (Ct. Cl. 1954).

[189] United States v. ARCO, 435 F. Supp. 1009, 1019 n.42 (D. Alas. 1977).

[190] 197 F. Supp. 834 (D. Alas. 1961).

[191] Pub. L. No. 85-291, 71 Stat. 623 (1957) (*codified at* 48 U.S.C. § 455 but now omitted therefrom).

[natives].'"[192] Affirming that rights under the 1884 Organic Act had not been affected by *Tee-Hit-Ton*, the court declared that it was "not here concerned with the matter of 'aboriginal title,' or 'recognized or unrecognized Indian title,' discussed by the Supreme Court" in that case, but with the "right which was specifically preserved in the Miller case."[193] After a trial on the merits, however, the court held for the state, finding that the natives' possession of the tidelands in question was not sufficiently "notorious, exclusive and continuous, [and] . . . substantial" to warrant protection under the 1884 Organic Act.[194]

Conclusion: Alaska—The Settlement Act and Beyond

Although the federal district court was able to see the irrelevance of the *Tee-Hit-Ton* decision to the congressional scheme of land rights in Alaska, virtually everyone else, whether critical of the case or not, accepted the underlying assumption of *Tee-Hit-Ton* that the land rights of Alaskan natives must rest upon aboriginal title alone. Thus, when the battle over native land claims in Alaska mounted in the wake of Alaska statehood and the subsequent discovery of oil, it was aboriginal title that the natives claimed. It is possible that the Alaska Native Claims Settlement Act extinguished only these aboriginal claims.[195] If

[192] *Id.* § 455b.

[193] 197 F. Supp. 834, 838-39 (D. Alas. 1961). The court seemed confused concerning what right *Miller* had "preserved," equating it with the "right of occupancy . . . first recognized in the case of Johnson v. McIntosh," 21 U.S. (8 Wheat.) 543 (1823). 197 F. Supp. at 839. In its opinion after trial, however, the court restated its reliance upon *Miller*, omitting any reference to *McIntosh* or other aboriginal title cases. United States v. Alaska, 201 F. Supp. 796, 798 (1962).

[194] United States v. Alaska, 201 F. Supp. 796, 800 (1962).

[195] The extinguishment provision of the Settlement Act, 43 U.S.C. § 1603, reads in part: "(b) All aboriginal titles, if any, and claims of aboriginal title . . . . are hereby extinguished. (c) All claims against the United States, the State, and all other persons that are based on claims of aboriginal right, title, use, or occupancy . . . or that are *based on any statute or treaty of the United States relating to Native* use and occupancy . . . are hereby extinguished." (Emphasis supplied.)

It is clear that the extinguishment of aboriginal title and claims could not have affected rights under the 1884 Organic Act. It is uncertain whether the extinguishment of all claims based upon statutes relating to native use and occupancy affected 1884 Act claims. The Senate version of the bill that became the Settlement Act, S. 35, contained language expressly extinguishing claims under the 1884 and 1900 Acts. This language was dropped in committee to more closely approximate the House version, H.R. 10367, which eventually was adopted. *See* United States v. ARCO, 435 F. Supp. 1009, 1027-1029 & n.58 (D. Alas. 1977), *aff'd* 612 F.2d 1132 (9th Cir. 1980). Both the 1884 and 1900 Acts unofficially are considered to be in force. *See* 25 U.S.C. § 280a (1900 Act); U.S.C.S. Uncodified Material 546, 566 (1884 Act; section 8 not listed as repealed).

this is so, native tribes and individuals may continue to hold the same vested rights to their lands as they have held since 1884.

The Tee-Hit-Ton Decision Outside of Alaska

The integrity of the judicial process demands that *Tee-Hit-Ton* and its progeny be disregarded as precedent and that the character of aboriginal title be considered anew, through principled analysis of history and legal precedent. The scholarship of the opinion is abysmally poor. Only the thin strands of *ipse dixit* and judicial inertia are left to support a concept of aboriginal rights wholly at odds with history and legal precedent.

If the Court refuses to overrule *Tee-Hit-Ton*, the case still should have little relevance outside of Alaska. The Court in *Tee-Hit-Ton* perhaps did have jurisdiction to decide that aboriginal title might need "recognition" to be asserted against the United States, but only if it first had decided that aboriginal title existed in Alaska. As we have seen, the Court did this by assumption (through the stipulation of the parties), and its determination was unsupportable by, and probably at variance with, most applicable precedent. Even if aboriginal title did exist in Alaska, the Court could decide nothing more than that no statute applicable in the case provided the requisite "recognition." As noted, the Intercourse acts were not generally applicable in Alaska, and their effect therefore was not passed upon, either explicitly or implicitly.

If *Tee-Hit-Ton* stands, and recognition continues to be required, the Intercourse acts are a strong candidate for having sufficiently recognized the proprietary nature of aboriginal possession. The Intercourse acts validated the prevailing discovery paradigm of tribal rights. The discovery doctrine implicitly assumes that tribal rights are proprietary, for only by their acquisition can the holder of the "naked" fee obtain a fee simple absolute.

The impact of *Tee-Hit-Ton* on the law has been far-reaching, both figuratively and geographically. The decision has been relied upon in both Canada and Australia to justify takings of aboriginal lands, and it effectively has forged a shift in the prevalent concept of aboriginal property rights in the United States. That such a poorly reasoned and researched opinion should have had such an impact is an injustice to aboriginal peoples everywhere as well as a travesty on the law. It is heartening that the International Court of Justice recently has rejected not only the rule of *Tee-Hit-Ton* but the entire doctrine of discovery as well.[196]

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[196] Western Sahara Advisory Opinion, 1975 I.C.J. Reports 12, 83 *et seq.*, 103, 171 *et seq.*

There is little wisdom in a decision that sweeps so broadly as to deny entire villages rights to lands they have occupied for centuries in order to deny seventy persons a claim to all the timber covering more than 350,000 acres of national forest. In all fairness to the Court, it was never presented with the real issues in the case, and thus perhaps was led blindly astray. It submitted willingly to the chance to decide a question that had been burning for more than twenty years. That chance was only an illusion, yet it has been a powerful one. The time has come to set the illusion aside.

THE SUPREME COURT, TRIBAL SOVEREIGNTY, AND CONTINUING PROBLEMS OF STATE ENCROACHMENT INTO INDIAN COUNTRY

Clifford M. Lytle

One of the persistent themes that has tormented tribal governments throughout Indian history relates to the aggressive attempts by state governments to extend their laws into Indian country. With the extension of state legislation comes the assumption of state jurisdiction over Indian affairs on reservations, and this has been of no small concern to tribal authorities. In the early 1950s, the states played a role in successfully convincing Congress to pass Public Law 280,[1] which imposed both state civil and criminal jurisdiction onto reservations in several states. On the whole, however, tribal governments have been able to maintain a protective shield against this threat of encroachment. Still, pressure from state governments has not subsided in recent years, especially in view of the fact that Indian country holds so much in the nature of mineral wealth. The importance of this continuing Indian-state struggle requires careful examination.

This article will explore the role the Supreme Court has played in providing Indian nations with protection against attempted state intrusions into Indian country. Initially, the Court erected a firm barrier providing tribes with almost complete immunity. Internal tribal sovereignty was the justification underlying this cloak of immunity. Although recent decisions have shown a drift in a direction that affords tribes less protection than they would like, analysis of the cases involved reveals that the erosion has not been significant. What has occurred is a change in the criteria used to determine when state encroachments are permissible and when they are not.

Roots of Tribal Sovereignty

The turmoil that persisted between the Indian and non-Indian communities during the embryonic days of the nation's development demanded that some kind of action be taken to define the status of Indian nations. Clearly this was a responsibility to be shouldered by the federal government. Some political institution or personality, however, had to assume the role of delineating the relationship between the Indian nations and the fledgling

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[1] 18 U.S.C.A. § 1162.

American government. The Supreme Court stepped forward to assume the responsibility. The political personality thrust into the limelight was Chief Justice of the Supreme Court John Marshall.

The first serious attempt by the Court to define the federal government's relationship to Indian nations was *Johnson v. McIntosh* in 1823.[2] Chief Justice Marshall used his opinion in this decision to develop a theory of Indian subservience to the federal government. While paying lip service to the notion of continued Indian autonomy, Marshall reasoned that conquest gave the white man ownership and title to Indian lands. This was subject, however, to the continued right of Indian occupancy and use. Thus, while the Indians' interest in their lands was not completely extinguished, it was altered significantly in that the federal government became the owner of the soil.

Land obviously was (and continues to be) the Indians' most precious resource. And while the right to occupancy and use is an important interest retained by the Indians, ownership in the hands of the federal government relegated the tribes to a dependent status.

Johnson v. McIntosh created a landlord-tenant relationship between the government and Indian tribes. The federal government, as landlord, possessed not only the power to terminate the "tenancy" of its Indian occupants, but it could materially affect the lives of the Indians through its control and regulation of land use. With the exercise of power comes responsibility, and *Johnson* constituted the first instance in which a judicially recognized federal responsibility over Indian affairs was articulated. Indeed, much of the power the federal government exercises over Indian affairs today emanates from the concept of federal ownership of Indian land and its sovereignty over it. This notion, as a matter of fact, constitutes the basis upon which the Court in the *Cherokee Nation Cases*[3] developed its theory of federal guardianship over Indian affairs.

The first three decades of the nineteenth century were fragile ones in the history of American government. The national government was far from strong, and it was continuously faced with recalcitrant states challenging its authority. It was during this period of political turmoil that the *Cherokee Nation Cases* arose. The state of Georgia was intent on removing the Creek and Cherokee Indians out of the western portion of the state. State authorities openly flouted the terms of federal treaties and threatened to use force against both the Indians and American troops if that proved necessary to accomplish the removal. While the federal government did initiate a policy by which to move the Indians, both the Creeks and the Cherokees were intent upon staying in their homelands and thus the government's attempts at evacuation went slowly. The discovery of gold on the Indians' land made the state even more determined to expedite the exodus of the two tribes. At one point the governor of Georgia, having issued orders to conduct surveys in the area, threatened civil war if the state's efforts were hindered by the federal government. President Adams answered this with a threat of his own; he would send in federal troops. The pending conflict was averted when at the last minute the Creeks capitulated and moved west of the Mississippi River.

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[2] 21 U.S. (8 Wheat.) 543 (1823).

[3] [illegible] 30 [illegible] Pet. [illegible] 31); [illegible] tosh, [illegible]

The Cherokees were somewhat more stubborn than the Creeks. In 1827 the Cherokee Nation adopted a written constitution and proclaimed itself to be an "independent" state. The Georgia legislature responded to this with a series of laws that extended state jurisdiction over all Indian territory, annulled the Cherokee laws, and directed the seizure of all Cherokee lands. An opportunity to demonstrate just how serious the state of Georgia was in the matter developed in 1830. A Cherokee Indian named George Tassel was arrested and tried for a murder that had been committed within the Cherokee territory. Normally this offense would have fallen within the jurisdiction of the Cherokee Nation, but the state prosecuted the case claiming that it had jurisdiction over all Indian lands within its boundaries. Tassel was convicted, and this was upheld by the Georgia Supreme Court as properly within the jurisdiction of the state. The Cherokee Tribe appealed to President Jackson to uphold the tribal treaty rights, but unlike President Adams, Jackson refused to take action in defense of the tribe. Tassel then appealed to the United States Supreme Court under its original jurisdiction, asking the Supreme Court to issue an injunction preventing the state of Georgia from extending its criminal law into Indian country in violation of the tribe's treaty rights. The Cherokees petitioned the Supreme Court in the capacity of an independent nation. Under Article III, section 2 of the Constitution, foreign states are permitted to bring a cause of action to the Supreme Court under its original jurisdiction. The Cherokees [illegible] that they qualified under this provision.

In *Cherokee Nation v. Georgia*,[4] the United States Supreme Court dismissed the Cherokee petition. The Court concluded that an Indian tribe was neither a state nor a foreign nation within the meaning of the Constitution, and hence, the Cherokees could not invoke the original jurisdiction of the United States Supreme Court. If it was true that the Indian tribe had a legal grievance to pursue, the Supreme Court was not the appropriate forum in which to prosecute that right. The Court simply did not have the jurisdiction. At this point the issue could have been closed with nothing more said. That was not the style of Chief Justice Marshall, however. Marshall seized the occasion to clarify not only the relationship of Indian tribes to the government but to spell out a basis for the federal government's assumption of responsibility over Indian affairs.

Marshall proceeded to reason that the condition of Indian people was unlike that of any other people in existence. Using the federally owned land theory discussed in *Johnson v. McIntosh*, Marshall noted that while the Indians possessed an unquestionable right to occupy the land, the lands were still within a territory to which the United States asserted a title independent of the Indians' will. This led to Marshall's characterization of Indian tribes as "domestic dependent nations." Indians resided in a state of pupilage. Their relation to the United States resembled that of a ward to his guardian.

> They look to our government for protection; rely upon its kindness and its power; appeal to it for relief to their wants; and address the president as their great father. They and their country are considered by foreign nations, as well as by ourselves, as being so completely under the sovereignty and dominion of the United States, that any attempt to acquire their lands, or to form a political connexion with them, would be considered by all as an invasion of our territory, and an act of hostility.[5]

Marshall's views in *Cherokee Nation v. Georgia* laid a foundation upon which much of the idea of federal responsibility over Indian affairs is predicated. Unfortunately, only one other justice, MacLean, joined the Chief Justice in his opinion. Two justices disagreed entirely with Marhsall's reasoning. While concluding that Marshall was correct in rejecting jurisdiction in the case, Justices Baldwin and Johnson argued that Indian nations possessed no sovereignty whatsoever. Justices Thompson and Story both dissented, concluding that the Cherokees did qualify as a state under the Constitution so as to bring a cause of action. They defined a state as a body of men united together to procure their mutual safety and advantage by means of their union. They governed themselves by their own authority and laws. The fact that a weak state, in order to provide for its safety, placed itself under the protection of a stronger state, did not strip the former of its sovereignty.[6] Clearly the Cherokees qualified under these circumstances.

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[4] 30 U.S. (5 Pet.) 1 (1831).

[5] *Id.* at 16.

The Court's decision in the *Cherokee Nation* case is perplexing. The justices split three ways in their views[7]:

Marshall-MacLean: Tribes are domestic dependent nations.
Thompson-Story: Tribes are sovereign nations.
Baldwin-Johnson: Tribes have no sovereignty.

Although the justices divided 2-2-2 in their perspectives of Indian sovereignty, there did emerge a clear four-justice bloc that supported *some* notion of tribal sovereignty. Interestingly, Justices Thompson and Story had not written their opinion at the time the decision was initially announced. The critical response to the case was so anti-Indian that Chief Justice Marshall persuaded Thompson and Story to pen their thoughts into a separate opinion so as to broaden the base of legal support for the Indian cause. The Cherokees, of course, lost the case, but the federal guardianship philosophy of Marshall was to prove an enduring benefit to the Indians in the future.

Chief Justice Marshall was a consummate politician. He was convinced that had he ruled in favor of the Indians, President Jackson would have refused to enforce the Court's order. Marshall thus avoided a confrontation with the President by concluding that the Court had no jurisdiction over the case. In the true art of Marshallian activism, the Chief Justice inserted his "domestic dependent nation" and "guardianship" theories into the Court's opinion. These ideas may have been nothing more than dicta, but it was dicta that has been both persuasive and enduring over the years.

While Marshall's ideas in the *Cherokee Nation* case may have persisted for decades, they were not of great comfort to the

Id. [illegible] 53.

7. Justice Duvall did not participate in the decision.

Cherokee Indians who lost the case. The tribe needed to seek out another case by which to restrain the state of Georgia from destroying the tribal government and confiscating Indian lands. The opportunity to challenge Georgia came when the state arrested Samuel A. Worcester in the Cherokee territory in 1831. Worcester was one of several missionaries working on the Indian reservation who were arrested for violating Georgia law. The law required all non-Indian residents of the Cherokee territory to obtain a license from the governor of the state. The missionaries were convicted of failure to obtain a license and sentenced to four years of hard labor. While all of the defendants were extended pardons, Samuel Worcester and Elizur Butler refused to accept the offer. They decided to test the constitutionality of the state law and the United States Supreme Court agreed to hear the case. As in the *Cherokee Nation* case, the state of Georgia refused to appear.

Chief Justice Marshall used *Worcester v. Georgia*[8] to reaffirm his notions of Indian sovereignty that were enunciated in the first *Cherokee Nation* case. Laying the foundation with a historical overview, Marshall emphasized that the Indians had their own political institutions and were engaged in self-government. The British never attempted to interfere with domestic internal affairs of the Indians. The Indians were considered to be capable of self-government and were permitted this prerogative. The colonies followed a similar approach in dealing with the Indians. In analyzing the Treaty of Hopewell[9] between the United States and the Cherokee Nation, Marshall concluded that the treaty explicitly recognized the national character of the Cherokees and their right to self-government. There was nothing in the treaty to indicate that the Cherokees were to be stripped of their national character. "The treaties and laws of the United States [then], contemplate the Indian territory as completely separated from that of the states. . . ."[10] All intercourse with the Indians was to be carried on exclusively by the government of the Union.

> The Cherokee nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves. . . . The whole intercourse between the United States and this nation, is, by our

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[8] 31 U.S. (6 Pet.) 515 (1832).

[9] [illegible] 20.

[10] 31 U.S. (6 Pet.) 515, 557 (1832).

constitution and laws, vested in the government of the United States."

In the first *Cherokee Nation* case, Marshall defined the relationship between the federal government and Indian nations. While conceding that the Indians possessed a degree of internal sovereignty as "domestic dependent nations," they still were to be subordinate to the overriding will of the federal government. This power of the white man over the Indians, however, was tempered by the fact that the federal government had to treat Indian tribes as a "guardian" would treat his "ward."

The sovereignty of Indian nations reached full fruition in the second case, *Worcester v. Georgia*. Here Marshall defined the relationship between Indian nations and the various states. Focusing heavily on the right of Indians to govern themselves *internally*, Marshall created a shield of sovereignty by which to protect Indian tribes from state encroachments. Indian sovereignty then became multifaceted. On one hand, it was a formidable barrier to state encroachment into its affairs; on the other hand, it was a fragile legality capable of extinguishment if and when the federal government felt so inclined.

Unlike *Cherokee Nation v. Georgia*, the Indians won their case in *Worcester*. The victory, however, was more illusory than real. The state of Georgia announced that it had no intention of complying with the Court's order. Politics clouded the whole affair. It was in response to this case that President Jackson allegedly stated, "John Marshall has made his decision: now let him enforce it." Jackson, indeed, took no steps to implement the Court's opinion. For years Jackson sided with the state of Georgia in its attempt to remove the Cherokees and he was not about to take up the cause of the Indians now, regardless of how embarrassing the *Worcester* case may have been. Ultimately, Jackson was able to persuade the governor of Georgia to pardon Worcester and Butler, who by this time were willing to accept it. Political compromise averted a constitutional crisis between the Executive and the Supreme Court.

What happened to the Cherokees? Their legal victory in *Worcester* was short-lived. President Jackson was finally able to move the Cherokees out of Georgia to a home in the west. Their journey westward came to be known as the "Trail of Tears." Even the legal victory the Indians won in *Worcester* was tempered for a period of time. Mr. Justice MacLean, in a concurring opinion in *Worcester*, raised the question as to whether there were not some circumstances by which states could exercise power in Indian country. Previewing a policy of assimilation, MacLean reasoned that Indian self-government was undoubtedly contemplated to be of a temporary nature. If and when Indians became incapable of self-government, or their numbers were reduced so low as to lose the power of self-government, then the states could extend their laws into Indian country.[12] MacLean's concurring opinion provided lower courts with an avenue by which to continue to review cases to determine whether the Indian tribes had lost their capacity to survive. In the long run, however, it was Marshall's ideas and not those of MacLean that prevailed.

The Erosion of Tribal Sovereignty: The Rise of Federal Preemption

Over the years the "domestic dependent" Indian nations under the shield of tribal sovereignty became exempt from state taxation,[13] political regulation,[14] and administrative intrusion,[15] to name but a few areas of concern. The Supreme Court thus initially erected a protective barrier insulating Indian nations from hostile state governments.

The difficulties confronting Indian-state relations, however, have grown, not evaporated, with time. Tribal fears of state intrusion have been real and not merely figments of the Indian imagination. The quest for Indian land, the lack of understanding by both whites and Indians of one another's cultural differences, jealousies over Indian exemptions from state laws and regulations, racial discrimination, economic competition—all contributed to a troubled relationship between the reservations and white settlements.

Recent history has witnessed a drift away from the protective shield the Marshall Court bestowed upon tribal governments. The initial erosion of the doctrine of internal sovereignty appeared in 1958 in an important decision, *Williams v. Lee*.[16] A superior

[12] *Id.* at 593.

[13] The Kansas Indians, 72 U.S. (5 Wall.) 737 (1866).

[14] Red Lake Band of Chippewa Indians v. Minnesota, 248 N.W.2d 722 (1976).

[15] Confederated Tribes of Colville Reservation v. Washington, 412 F. Supp. 651 (E.D. Wash. 1976).

[16] 358 U.S. 217 (1958).

court in the state of Arizona attempted to exercise civil jurisdiction over a case in which a non-Indian sought to collect an overdue debt for goods he had sold to an Indian couple on the Navajo Reservation. Since the Navajo tribe had its own tribal court system in operation, the Supreme Court held that the state of Arizona could not extend its jurisdiction onto the Indian reservation. "There can be no doubt," the Court reasoned, "that to allow the exercise of state jurisdiction here would undermine the authority of the tribal courts over Reservations' affairs and hence would infringe on the right of the Indians to govern themselves."[17] The key question here is whether in the absence of congressional legislation, the state intrusion would infringe upon the right of the tribe to govern itself (self-government). If it does, the protective shield remains in place. But if it does not, it may be permissible for the state to extend its laws onto the reservation.

Williams v. Lee was a departure from the *Worcester* decision; under the *Worcester* decision, the protective buffer was high and almost impregnable. Under *Williams*, however, if the state intrusion did not infringe upon tribal self-government, the state might be able to extend its jurisdiction onto the reservation. A few years later the Supreme Court formally conceded that its approach to tribal sovereignty was changing. Justice Frankfurter announced that the general notion of John Marshall in *Worcester* that state law cannot extend onto the reservation had yielded under closer analysis.[18]

In 1973 the Court went a step farther in its erosion of tribal sovereignty. In *McClanahan v. Arizona Tax Commission*,[19] Arizona attempted to apply its state income tax to the wages of a Navajo Indian whose entire income was derived from within the Navajo Reservation. In resolving this issue in favor of the Indian complainant, the Supreme Court indicated that there was a clear trend away from the idea of Indian sovereignty. The concept of sovereignty was to be used only as a "backdrop" against which applicable treaties and statutes must be read.[20] The Court then proceeded to talk in terms of "federal preemption." The question was not so much one of tribal sovereignty but whether the treaties, statutes, and tribal laws had given rise to a "preemption" of the field so as to preclude state intrusions into Indian country. Today

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17. *Id.* at 223.
18. Organized Village of Kake v. Egan, 369 U.S. 60, 72 (1962).
19. 411 U.S. 164 (1973).
20. *Id.* at [illegible]

the past doctrine of internal tribal sovereignty has been relegated to a subordinate position to a more flexible criteria—federal preemption of Indian affairs. The preemption is determined by the Court's examination of past treaties, statutes, and tribal laws. As a backdrop, Indian sovereignty assumes a role, but only in helping to measure the meaning of these treaties and statutes.

There is little doubt that *McClanahan* and its principle of federal preemption have displaced *Worcester* as the primary consideration in determining when states may extend their laws onto the reservation. As important as *McClanahan* is, however, the opinion fails to bring much understanding to just how tribal sovereignty as a backdrop of analysis should be used. Clearly, the Court was not about to abandon the concept of sovereignty completely. But did the justices mean to place the doctrine on a back shelf in hopes that it would be lost in the dust of time?

In 1980 the Court provided an answer to this question. The state of Arizona had applied a motor carrier license tax and a use fuel tax on the operations of a non-Indian logging company that had contracted with the White Mountain Apaches to sell, load, and transport timber on the White Mountain Apache Reservation. The Indian tribe and the timber company joined forces in an attempt to have the taxes declared invalid. When the issue reached the Supreme Court in *White Mountain Apache Tribe v. Bracker*,[21] the Court held the taxes to be inapplicable to the reservation activity on the ground that the federal government, having undertaken a comprehensive regulation of the harvesting and sale of tribal timber, had preempted the field. This precluded the state of Arizona from imposing its taxes on the reservation.

The *White Mountain Apache Tribe* case is extremely important in view of Justice Thurgood Marshall's discussion of the tests to be used in such disputes and the role of tribal sovereignty in making these determinations. Marshall reasons that the "semi-independent position" of Indian tribes has given rise to two independent but related barriers to the assertion of state authority over tribal reservations. The first of these is that the federal government may have preempted the field.[22] The second barrier is that state encroachment may unlawfully infringe on the right of tribal self-government.[23] Either of these barriers standing alone may be sufficient to invalidate the state intrusions. If there was any doubt as to how the Court was going to approach these problems prior to the *White Mountain Apache Tribe* case, it is clearly resolved by this decision.

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[21] 100 S. Ct. 2578 (1980).

[22] McClanahan v. Arizona Tax Comm'n, 411 U.S. 164 (1973).

[23] Williams v. Lee, 358 U.S. 217 (1959).

In addition to delineating the role of the *McClanahan* and *Williams* doctrines, Justice Marshall proceeds to elaborate further on the concept of tribal sovereignty. "[T]raditional notions of Indian self-government are so deeply engrained in our jurisprudence," Marshall reasons, "that they have provided an important backdrop . . . against which vague or ambiguous federal enactments must always be measured."[24] It is not helpful in cases involving American Indians to use the general laws of federal preemption that have emerged in other non-Indian areas of the law. The tradition of Indian sovereignty "must inform the determination whether the exercise of state authority has been preempted by operation of federal law."[25] What Marshall is saying here is that tribal sovereignty as a backdrop for interpreting statutes assumes a meaningful role in judicial decision making. Indian sovereignty is not to be relegated to a pleasant doctrine slowly vanishing into antiquity. The backdrop requirement demands that treaties and federal statutes be interpreted "generously in order to comport with these traditional notions of sovereignty and with the federal policy of encouraging tribal independence."[26] Under such an interpretation, federal preemption is more easily attained in the area of Indian affairs than in other areas of the law.

As the law stands today, then, a court determining the validity of an attempt by a state to extend its jurisdiction into Indian country must first examine the relevant treaties and statutes against a *meaningful* backdrop of tribal sovereignty to determine if federal preemption has occurred. If it has, then the states are foreclosed from intruding. If the court finds that federal preemption has not taken place, then the court turns to the *Williams* test to see if the state laws or activity conflict with tribal self-government. If they do, then the state intrusion again is invalidated. Only if there is no conflict can a state extend its civil laws and resultant assumption of jurisdiction onto the reservation.

The Impact on Indian Country

Until now the Supreme Court has permitted state incursions into Indian country in only two instances. Both cases, interestingly, deal with state attempts to extend their tax laws to cover the sale of cigarettes in Indian territory. In 1976 the Supreme Court in *Moe v. Confederated Salish & Kootenai Tribes*[27] held that the state of Montana could validly require Indian sellers on the reservation to collect a cigarette tax from *non*-Indian consumers. This was thought to be but a minimal burden on the Indian seller and as a minimal burden, it hardly interfered with tribal self-government. The tax, however, was only valid as collected from *non*-Indian consumers. The state could not extend its taxing power to Indian consumers for this would conflict with federal statutes that had preempted the field and thus has been barred by *McClanahan*.

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[24] White Mt. Apache Tribe v. Bracker, 100 S.Ct. 2578 (1980).

[25] [illegible]

[26] *Id.* at 2584.

In 1980 the Supreme Court was faced with a similar situation. The state of Washington had imposed a tax on cigarettes sold by Colville Indians to both non-Indians and Indians who were not members of the Colville Tribe. Since the cigarette sales took place on the reservation, this was viewed as another attempt by a state to extend its laws into Indian country. The Supreme Court resolved the issue in a manner similar to the way in which it handled the *Moe* decision. The Court upheld the validity of the state tax on both the white purchasers and the nontribal Indians.[28] Unfortunately, Mr. Justice White, who delivered the opinion, does not spell out concisely the tests to be used in deciding issues such as these.

A careful reading of the opinion, however, reveals that both the *McClanahan* test and the *Williams* doctrine are used. White notes that: "The federal statutes cited to us, even when given the broadest reading to which they are fairly susceptible, cannot be said to preempt Washington's sales and cigarette taxes."[29] This clearly is an application of the *McClanahan* preemption test. Later in the opinion the Justice also alludes to the *Williams* doctrine: "Washington does not infringe the right of reservation Indians to 'make their own laws and be ruled by them'. . . ."[30]

The Court in the *Colville* case thus permitted the state of Washington to extend its civil law onto the reservation. It is important to note, though, that the extension of state jurisdiction is extremely limited. The thrust of the statute was designed to reach (1) non-Indians, and (2) Indians who were not members of the Colville Tribe. Indeed, the only burden that the Colville Tribe had to assume was in the collection of the state tax and this was felt to be a minimal imposition on the tribe. While the Colville traders did argue that they were being denied a competitive marketing advantage by having to collect the state tax from non-tribal consumers, the Court refused to accept this argument. The denial of an artificial competitive market advantage was viewed as not contravening the right of reservation Indians to make their own laws and to be ruled by them.

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[27] 425 U.S. 463 (1976)

[28] Washington v. Confederated Tribes of Colville Reservation, 100 S.Ct. 2069 (1980)

Id at 2082

2083

While Indian tribes will view the *Colville* case as important in that it permits the incursion of a state taxing law into Indian country, upon reflection they might conclude that the infringement is one of little significance. Since the objective of the state law pertains to non-Indians and nontribal members, the sanctity of the reservation is preserved. The only blow the reservation receives is in the loss of its competitive market advantage.

There is no doubt that the flow of Supreme Court decisions has been away from the firm stance of immunity afforded the Indian tribes by *Worcester v. Georgia*. The trend of decisions, however, may be a reflection of the changing relationship between Indian reservations and white communities. Tribes are not becoming more isolated from white society; rather, their activities are becoming more interconnected with it. As the contact between Indians and whites increases, particularly in the economic field where competition may be present, the more states are going to attempt to extend their laws and jurisdiction into the affairs of the reservations. The decisions of the Supreme Court are a mirror of these changing conditions. In responding to the intricacies of this closer Indian-state contact, there is every indication that the Court will continue to preserve the sanctity of Indian affairs on the reservation from state encroachment in most respects.

the Constitution of the State of Alaska, and that I will faithfully discharge my duties as to the best of my ability." The legislature may prescribe further oaths or affirmations.

Merit System

SECTION 6. The legislature shall establish a system under which the merit principle will govern the employment of persons by the State.

Retirement System

SECTION 7. Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired.

Residual Power

SECTION 8. The enumeration of specified powers in this constitution shall not be construed as limiting the powers of the State.

Provisions Self-Executing

SECTION 9. The provisions of this constitution shall be construed to be self-executing whenever possible.

Interpretation

SECTION 10. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including either sex.

Law-Making Power

SECTION 11. As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

[redacted]

[redacted] The State of Alaska and its people [redacted] all right and title in or to any property belonging to the United States or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property, including fishing rights, the right or title to which may be held by for any Indian, Eskimo, or Aleut, or community thereof, as that right or title is defined in the act of admission. The State and its people agree that, unless otherwise provided by Congress, the property, as described in this section, shall remain subject to the absolute disposition of the United States. They further agree that no taxes will be imposed upon any such property, until otherwise provided by the Congress. This tax exemption shall not apply to property held by individuals in fee without restrictions on alienation.

[redacted]

[redacted] All provisions of the act admitting [redacted] Union which reserve rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property, are consented to fully by the State and its people.

ARTICLE XIII

AMENDMENT AND REVISION

Amendments

SECTION 1. Amendments to this constitution may be proposed by a two-thirds vote of each house of the legislature. The lieutenant governor shall prepare a ballot title and proposition summarizing each proposed amendment, and shall place them on the ballot for the next general election. If a majority of the votes cast on the proposition favor the amendment, it shall be adopted. Unless otherwise provided in the amendment, it becomes effective thirty days after the certification of the election returns by the lieutenant governor.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor". The second amendment to this section, approved by the voters August 27, 1974 and effective October 12, 1974, changed "statewide" to read "general" in the second sentence.)

Public Law 93-638
93rd Congress, S. 1017
January 4, 1975

An Act

To provide maximum Indian participation in the Government and education of the Indian people; to provide for the full participation of Indian tribes in programs and services conducted by the Federal Government for Indians and to encourage the development of human resources of the Indian people; to establish a program of assistance to upgrade Indian education; to support the right of Indian citizens to control their own educational activities; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indian Self-Determination and Education Assistance Act".

Indian Self-Determination and Education Assistance Act.
25 USC 450 note.
25 USC 450.

CONGRESSIONAL FINDINGS

Sec. 2. (a) The Congress, after careful review of the Federal Government's historical and special legal relationship with, and resulting responsibilities to, American Indian people, finds that—

(1) the prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self-government, and has denied to the Indian people an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities; and

[redacted]

(1) true self-determination in any society of people is dependent upon an educational process which will insure the development of qualified people to fulfill meaningful leadership roles;

(2) the Federal responsibility for and assistance to education of Indian children has not effected the desired level of educational achievement or created the diverse opportunities and personal satisfaction which education can and should provide; and

(3) parental and community control of the educational process is of crucial importance to the Indian people.

DECLARATION OF POLICY

Sec. 3. (a) The Congress hereby recognizes the obligation of the United States to respond to the strong expression of the Indian people for self-determination by assuring maximum Indian participation in the direction of educational as well as other Federal services to Indian communities so as to render such services more responsive to the needs and desires of those communities.

25 USC 450a.
88 STAT. 2203
88 STAT. 2204

(b) The Congress declares its commitment to the maintenance of the Federal Government's unique and continuing relationship with and responsibility to the Indian people through the establishment of a meaningful Indian self-determination policy which will permit an orderly transition from Federal domination of programs for and services to Indians to effective and meaningful participation by the Indian people in the planning, conduct, and administration of those programs and services.

FED-INDIAN RELATIONSHIP

(c) The Congress declares that a major national goal of the United States is to provide the quantity and quality of educational services and opportunities which will permit Indian children to compete and

TREATY WITH RUSSIA. March 30, 1867.

Treaty concerning the Cession of the Russian Possessions in North America by his Majesty the Emperor of all the Russias to the United States of America; Concluded March 30, 1867; Ratified by the United States May 28, 1867; Exchanged June 20, 1867; Proclaimed by the United States June 20, 1867.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, March 30, 1867.

A PROCLAMATION

A-75

Whereas a treaty between the United States of America and his Majesty the Emperor of all the Russias was concluded and signed by their respective plenipotentiaries at the city of Washington, on the thirtieth day of March, last, which treaty, being in the English and French languages, is, word for word, as follows:

The United States of America and His Majesty the Emperor of all the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that, purpose, appointed as their Plenipotentiaries: the President of the United States, William H. Seward, Secretary of State; and His Majesty the Emperor of all the Russias, the Privy Councillor Edward de Stoeckl, his Envoy Extraordinary and Minister Plenipotentiary to the United States.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

ARTICLE I.

His Majesty the Emperor of all the Russias agrees to cede to the Unites States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28-16, 1825, and described in Articles III and IV of said convention, in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales island, which point lies in the parrallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133rd degree of west longitude, (meridian of Greenwich,) the said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude, (of the same meridian;) and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia," (now, by this cession, to the United States.)

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest through Behring's straits and Behring's sea, so as to pass midway between northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction, so as to pass midway between the island of Attou and the Copper island of the Kormandorski couplet or group in the North Pacific ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

ARTICLE II.

In the cession of territory and dominion made by the preceding article are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed, that the churches which have been built in the ceded territory by the Russian government, shall remain the property of such members of the Greek Oriental Church resident in the territory, as may choose to worship therein. Any government archives, papers, and documents relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the agent of the United States; but an authenticated copy of such of them as may be required, will be, at all times given by the United States to the Russian government or to such Russian officers or subjects as they may apply for.

ARTICLE III.

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

A-76

ARTICLE IV.

His Majesty the Emperor of all the Russias shall appoint, with convenient despatch, an agent or agents for the purpose of formally delivering to a similar agent or agents appointed on behalf of the United States, the territory, dominion, property, dependencies and appurtenances which are ceded as above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications, without waiting for such formal delivery.

ARTICLE V.

Immediately after the exchange of the ratifications of this convention, any fortifications or military posts which may be in the ceded territory shall be delivered to the agent of the United States, and any Russian troops which may be in the territory shall be withdrawn as soon as may be reasonably and conveniently practicable.

ARTICLE VI.

In consideration of the cession aforesaid, the United States agree to pay at the treasury in Washington, within ten months after the exchange of the ratifications of this convention, to the diplomatic representative or other agent of his Majesty the Emperor of all the Russias, duly authorized to receive the same, seven million two hundred thousand dollars in gold. The cession of territory and dominion herein made is hereby declared to be free and unencumbered by any reservations, privileges, franchises, grants, or possessions, by any associated companies, whether corporate or incorporate, Russian or any other, or by any parties, except merely private individual property holders; and the cession hereby made, conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion, and appurtenances thereto.

ARTICLE VII.

When this convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington within three months from the date hereof, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at Washington, the thirtieth day of March, in the year of our Lord one thousand eight hundred and sixty-seven.

[L.S.] WILLIAM H. SEWARD.
[L.S.] EDOUARD DE STOECKL.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on this twentieth day of June, by William H. Seward, Secretary of State of the United States, and the Privy Counsellor Edward de Stoeckl, the Envoy Extraordinary of His Majesty the Emperor of all the Russias, on the part of their respective governments.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Klukwan , Alaska
March 14, 1978

Honorable Forrest Gerard
Assistant Secretary for
Indian Affairs
Department of the Interior
Washington D.C. 20240

Honorable Gerard,

This is to Inform you that at a joint meeting of the Alaska Native Brotherhood and Alaska Native Sisterhood held February 13, 1978 a deep concern was developed over the contents within the bill H.R. 9054. With a lengthy re research we oppose this bill with the following reasons.

Many benefits are relative to our tlingit Indians of Alaska through Indian Treaties, We are affected Indirectly with this bill . Therefore, we bring to your attention the following from the United State Code Title 25 Chapter 3 Section 72 ABROGATION OF TREATIES. Quote," WHEN EVER THE TRIBAL ORGANIZATION OF ANY INDIAN TRIBE IS IN ACTUAL HOSTILITY TO THE UNITED STATES, THE PRESIDENT IS AUTHORIZED, BY PROCLAMATION, TO DECLARE ALL TREATIES WITH SUCH TRIBE ABROGATED. BY SUCH TRIBE IF IN HIS OPINION THE SAME CAN BE DONE CONSISTANTLY WITH GOOD FAITH AND LEGAL AND NATIONAL OBLIGATION " unquote.

We want to know where and whenthe Indians are in Actual Hostility that such a bill as H.R. 9054 should be considered in Congress? Therefore we request your office to discourage and oppose H.R. 9054 and any subsequent proposals and bills in the future that have similar Intent.

With the need of support to oppose H.R. 9054 , we will forward copies of this correspondence to the following officials and organizations.

President, [illegible] ... ...
Joe Hotch
JOE HOTCH

RESOLUTION NO. ___________

WAIVER OF IMMUNITY

WHEREAS, the ________________________ wishes to receive money under an entitlement to the
(Native Village council)
State Aid to Unincorporated Communities program for the unincorporated community of ________________; and

WHEREAS, the State of Alaska, Department of Community and Regional Affairs is required by law to obtain from the council a waiver of immunity from suit for claims arising out of activities of the council related to the entitlement; and,

THEREFORE, BE IT RESOLVED THAT the ________________________ hereby gives its irrevocable
(Native Village Council)
consent to allow it to be sued by the State of Alaska upon any claims arising out of its activities under the entitlement, and hereby waives any immunity from suit by the State of Alaska for such claims. The ________________________
(Native Village Council)
hereby consents to the execution of any judgement obtained pursuant to this waiver of immunity against any of its property, whether real or personal, including money.

This resolution was adopted at a duly convened meeting of the ____________________
(Native Village Council)
on ________________, 19__.

By:______________________
Chief or President

Attest:______________________
Secretary/Treasurer

186
is my only
f. J.H.

INDIANS SAY NO CHANGE

Klukwans Want No King George Men

LOYAL AMERICANS

Patriotic Natives Try to Prevent Canadian Surveyors From Running Line.

The Indians of Kluckwan have no love for Englishmen. They have notified the Canadian surveyors not to drive any King George stakes around their stamping ground.

An interesting story is brought down from Kluckwan, the capital city of all the Kluckwan's, by Judge Maloney of Juneau, of the loyalty of the Indians to Uncle Sam and their hatred of the British.

When the surveyors of the provisional boundary line commenced work in the neighborhood of Kluckwan, the Indians were much interested to know what it was all about. They were finally informed that the men were engaged in marking the line between the respective domains of the Boston men and the King George men. Now, these Indians have for many years had only one position on the boundary question—they have been Americans to the core, and are yet Americans. To them there is only one line beyond which the Briton reigns. That line is where American maps have shown it since the United States acquired Alaska.

It troubled these simple natives of the forest and sea that a half dozen Canadians could come up into their country and by such a simple process remove the boundary line many miles nearer tide water.

A consultation amongst all the braves resulted. They decided not to permit such high-handed proceedings. They appointed a delegation which awaited on the grasping Canadian land grabbers and notified them in very solemn language to refrain from driving any more stakes. "We want no King George men around here," said the chief.

They were finally persuaded to permit the work to continue, by the promise that the King George policemen would remain over the divide on the Dalton trail where they are now stationed.—Skagway Alaskan.

Fourth of July Prize Winner

A tr[illegible] Fourth stre[illegible] Dall Island fo[illegible] well-known Ta[illegible] geon, who has my[illegible]. The last heard of him [illegible] he left Rowlan for Dall Island, June 8, with Hall Gould. The [illegible] doctor at camp while he went [illegible] examine a mining claim. Dr. [illegible] then arming himself with a rifle went in search of big game, and the searching party has found no trace of him.

Steamer Dolphin.

Charles Sprott is among those in this city who has seen and inspected the steamer Dolphin, now being brought out from New York by the Alaska Steamship Company, to run on the Lynn canal run in competition to the City of Seattle. Mr. Sprott says that she is very much after the style of [illegible], but considerably faster and is provided with twin screws. Her [illegible] running speed is between 17 and 18 knots an hour.

On Sulphur Creek.

A recent arrival from Dawson reports a new strike on Sulphur creek. It was said that from the prospect hole $67,000 was taken, and a pay streak several feet deep by 140 feet wide had been located. It was on this claim the recent shooting occurred, where one of the owners shot a lay man twice. The wounded man is doing well.

Collector of Internal Revenue Mintie is in the city. It is reported that Mr. Mintie will move his office to this city.

The Hook and Ladder boys made the wet race in 35 seconds yesterday.

The Humboldt arrived in from the south yesterday.

Judge Sol Ripinsky, of Haines, was a city celebrator yesterday.

The City of Seattle is due this evening from the south.

Pres. Elmer, of the Elmer mines, was a city celebrator yesterday. The company's properties were closed down.

Adam Corbin, of the Treadwell mines celebrated the Fourth in this city yesterday.

City Council

The city council met at 2 p. m. today at Mayor Maloney's office. Owing to the fact that Treasurer Moore's bonds had not been set by Judge Brown there was no business transacted. Among those present were Acting Mayor Maloney, Councilmen Dixon, Behrends, McKinnon and Forrest. The council will meet again on Monday at 2 p. m.

Miss Alice M. Jordison teacher of mandolin, guitar and banjo, has returned to Juneau and opened her studio and is ready to receive pupils in the building on Third street next to Gr[illegible] residence [illegible] lum.

[illegible]

Guideless.

F. L. Waite, Skagway
Sol Ripinsky, Haines
H. F. Perkins, [illegible]
J. T. Phillips, [illegible]
Jas. Wilkinson, [illegible]
F. Joyce, city
Geo. [illegible]
Mark Smith
James Davis
Frank Garland
W. R. [illegible]
[illegible]
G. Anderson, [illegible]
F. Cornell, Douglas

Franklin.

Paul Frick
J. Hollingsworth
W. Renaud
A. Carpenter
J. M. King, Skagway
B. L. Stein
F. Nelson
A. Crawford

Juneau.

R. Walworth, Douglas
John King, Douglas
Geo. Tingle, Alaska-Juneau
F. Costello, Sumdum
Jas S. Gallaher, Windham
Joe Logue, Windham
J. W. Phillips, Windham
E. E. Benton, Windham
T. Anderson, Berle
J. Nystrom, Berle
K. Nystrom, Berle
W. Nystrom, Berle
E. Johnson, Berle
A. Lambelbor, Elmer
D. H. Bartholomew, Elmer
M. Brady, Snettisham
J. Leol, Elmer
M. Leol, Elmer
Joe Karlin, Elmer
O. Solid, Elmer
J. Thompson, Snettisham
Tom Wade, Snettisham
John Fidery, Snettisham
John Peal, Snettisham
F. Collins, Seward
Harry Parker, Seward
M. Tolson, Seward
F. Johnson, Seward
O. Anderson, Douglas
H. Young, Douglas
H. Swinehart

Circle City.

[illegible]

Nat. Rec

Indian Dams

Rock Lock

95TH CONGRESS
1ST SESSION

H. R. 9054

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 1977

Mr. CUNNINGHAM introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

Fishing

Reservation

34

To direct the President to abrogate all treaties entered into by the United States with Indian tribes in order to accomplish the purposes of recognizing that in the United States no individual or group possesses subordinate or special rights, providing full citizenship and equality under law to Native Americans, protecting an equal opportunity of all citizens to fish and hunt in the United States, and terminating Federal supervision over the property and members of Indian tribes, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Native Americans Equal Opportunity Act".

SEC. 2. (a) The President of the United States shall, as soon as practicable after the date of enactment of this Act, abrogate all treaties entered into between the United States and any Indian tribe.

(b) The President, in carrying out the provisions of this Act, shall—

(1) provide that any real property which is held in trust by the United States on behalf of an Indian tribe and to which such Indian tribe is entitled, on the date of enactment of this Act, to exclusive use and occupancy shall be (A) allotted, in fee simple and in severalty, to the individual adult members of the tribe (as determined by an enrollment) with priority being given to those individuals with the greatest amount of Indian blood; or (B) conveyed, if a majority of the adult members of the tribe so indicate in an election, in fee simple to a tribal corporation for the purpose of enabling such corporation to hold such property in trust for the tribe;

(2) provide that all property allotted or conveyed under paragraph (1) (and all persons residing thereon and all acts committed thereon) shall be subject to the laws of Federal, State, and local governments;

(3) provide that any funds deposited to the credit of the tribe in the United States Treasury shall be (A) allotted to the individual adult members of the tribe; or (B) transferred, if a majority of the adult

members of the tribe so indicate in an election, to the tribal corporation described in paragraph (1) for the purpose of enabling such corporation to hold such funds in trust for the tribe;

(4) provide that hunting and fishing rights derived by the Indian tribe from a treaty shall be abrogated, and the members of such tribe shall be subject to Federal, State, and local laws governing hunting and fishing; and

(5) provide that there be no taking without just compensation of any property right specifically created for a particular individual by any such treaty.

(c) After the completion of the abrogation of the treaties with an Indian tribe under this Act, the President shall publish in the Federal Register an appropriate proclamation of such completion. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(d) In the case of any Indian tribe with respect to which treaties have been abrogated prior to the date of enactment of this Act or with respect to which no treaties were entered into but which remain under the supervision of the Federal Government, the President shall, as soon as practicable after the date of enactment of this Act, take steps to assure that such supervision is terminated, the completion of such termination is published in the Federal Register, and the provisions of subsection (c) apply to the members of such tribe.

(e) The President shall issue whatever regulations are necessary to carry out the provisions of this Act.

(f) For purposes of this Act, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act.

DON YOUNG
Congressman for All Alaska

Committees:
INTERIOR AND INSULAR AFFAIRS
MERCHANT MARINE AND FISHERIES

Congreſs of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE
[illegible] Longworth Building
Telephone [illegible]

DISTRICT OFFICES
[illegible] U.S. Federal Building
Anchorage, Alaska [illegible]
Telephone [illegible]

[illegible] U.S. Federal Building
Fairbanks, Alaska [illegible]
Telephone [illegible]

April 5, 1978

Mr. Joe Hotch
Klukwan Alaskan Native Brotherhood
Klukwan, Alaska

Dear Mr. Hotch:

Thank you for your recent letter and enclosure in opposition to H.R. 9054, a bill which would seek to withdraw all treaties between Native Americans and the U.S. government.

You may be assured that I will continue to oppose this and any other bill which would void treaties that extend to Native Americans the benefits they rightfully receive. It is highly unlikely that any action will take place on H.R. 9054, due to widespread appreciation and support by Members of Congress of the unique trust relationship between Natives and the federal government. You may count on me to fight this bill in the remote possibility that any action is considered.

Thanks again for your views on this matter, and please feel free to contact me in the future if similar issues bother you.

Sincerely,

Don Young

DON YOUNG
Congressman for all Alaska

DY:dvk

[illegible]

United States Senate
COMMITTEE ON FINANCE
WASHINGTON, D.C. 20510

March 29, 1978

Mr. Joe Hotch, President
Klukwan, A.N.B.
Klukwan, Alaska 99827

Dear Joe:

I want to thank you for sending me the copy of your letter to Secretary Gerard expressing the Klukwan Alaska Native Brotherhood and Sisterhood's opposition to H.R. 9054.

I share your concern at the affect such a bill would have on all Native Americans particularly Alaska Natives. I want you to know that I oppose this legislation and if and when this bill comes before the Senate for consideration, I will urge my colleagues to vote against its passage.

Again, I would like to thank you for expressing your concerns as well as those of the members of the A.N.B. and the A.N.S. of Klukwan. If I can be of any further assistance, please do not hesitate to let me know.

Best regards.

Sincerely,

Mike Gravel

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

March 23, 1978

Mr. Joe Hotch
Klukwan A.N.B.
Box 220
Haines, Alaska 99827

Dear Joe:

Thank you for providing me with a copy of your letter of Assistant Secretary for Indian Affairs, Forrest Gerard, concerning H.R. 9054.

I know how important this legislation is to the Alaska Native Community and I will keep a close watch on its progress in the House to see that your views are well represented.

I appreciate your keeping me informed of the activities of the Klukwan A.N.B. and I hope you will continue to do so.

With best wishes,

Cordially,

TED STEVENS
United States Senator

May 27, 1989

TESTIMONY

Senator Daniel Inouye, Chairman
Committee Members and Staff
United States Senate Select Committee On Indian Affairs

Honorable Senator Daniel Inouye, members of the Senate Select Committee on Indian Affairs, and staff, thank you for being here and listening to our concerns. My name is Mary Ann Mills, I am a Dena'ina Indian and representing the Sovereign Indigenous Women Of The Arctic.

I would like to draw your attention to the findings and recommendations within the United States Arctic Research Plan that was done by the Interagency Research Policy Committee and released in July 1987.

Since these findings were monitored by the National Science Foundation and further reviewed independently by the Federation of American Scientist, the political bias of the various agencies has been effectively neutralized, and these determinations carry the highest degree of institutional intergrity and should be relied on by your committee to solve many of the problems that have led to the genocidal elimination of the Indigenous Tribal People of Alaska.

I would like to draw your attention to this statement in the Arctic Research Plan (pg. 220). "....considerable research has already been conducted in the Arctic. People living there, particularly Native people, express concerns that they are "over studied", that they are treated only as subjects of experiments and not as collaborators in the research, that they are often not fully apprised of the research being carried out or the results at the conclusion of the studies, and finally that the sensitive nature of the results is often not fully appreciated and dealt with appropriately."

Many of us are concerned over the mass hepatitis B immunization program that was imposed upon the Alaska Natives, especially when the November 14, 1987 Lancet report showed that the hepatitis B virus was on a sharp decline when the mass immunization program was introduced. We feel that the Indian Health Service, the governments and the health corporations were not forthright with us, in that they did not inform us of any controversy over the hepatitis B vaccine or of any of it's potential risks. We are concerned for all Alaskan People because presently the State of Alaska has a mandatory immunization law, and who is to say who will be next. We have enclosed the shocking information that we received from doctors, scientists, medical writers and concerned human beings from the United States and from around the World.

We have been told "trust me, trust me" by the Federal and State governments and their corporate instruments -- so many agencies and bureaucracies, and for so many years.

It seems only reasonable that with all of these health programs, educational programs, social programs, ect., that we should be "fit as a fiddle". Something is very wrong with their system, and we find under all of this "Trust Responsibility" of the occupying governments, the reality is; per capita Alaska Natives have the highest rates of poverty, the highest rates of diseases, the highest rate of alcoholism, suicides, mental health problems, incarcerations, and the list goes on in an unending cycle of genocide. It is easy to see that these programs which have been thrust upon us has working to our demise, and are geared to fail us in almost every aspect.

State and Federal statistics show we are worse off now than before the passage of the Alaska Native Claims Settlement Act of 1971. Through ANCSA we have inheritted discord pitting brother against brother, and sister against sister through the sophisticated art of money, power, and greed. ANCSA took us out of human form; and now we are stockholders, and as we all know, its okay to eliminate stockholders.

Our cure must come from within us through our traditional beliefs, through the help of our traditional Tribal Elders, and through our traditional tribal governments.

The fact that the Indigenous Native People have been used as target groups without our informed consent has led to an almost total loss of confidence in the Federal and State governments and their contractors in the administration of designer health programs with designer drugs and vaccines that are suspiciously related to Injected Immune Deficiencies as deferentiated from Acquired Immune Deficiencies.

In closing I would like to state that the genocidal effects of both Federal and State administration of governmental policies, has resulted in overt and covert acts of genocide to the Tribal Indigenous Peoples of Alaska and those other Alaskans who have peacefully integrated into our Human Tribal Societies.

Since the United States and the Disclaimer State of Alaska have jurisdiction based on quasi-military occupation and not sovereignty, as out-lined in the Koslivtsov Memorandum, the puppet quisling governments that have aided and abetted the genocide as defined in the recently enactment of P.L. 100-606 "The Genocide Act".

We are completly opposed to the Alaska Federation of Natives, Inc. and all State or Federal chartered instruments in their efforts to create another commission to redocument what has already been determined by the Berger report and the Interagency Arctic Research Policy Committee that was done under Section 109 of P.L. 98-373 which we submit with our oral testimony.

Most of the findings in the Berger report and the United States Arctic Research Plan of July 1987, are enough to martial all the forces to correct most of the problems and the present Act of Congress, P.L. 99-239 'Compact of Free Association Act of 1985, be fully implimented by the Indigenous Tribal Councils, through a conference as designated in the Act, and bring the Natural forms of governance based on human Sovereignty and indigenous title into reality.

Senator Inouye, we stand ready as Sovereign Indigenous Women of the Arctic, along with many of our elders to assist the United States Government through your committee by making available the research and many hours of effort that we have invested in the implimentation of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE COVENANTS ON HUMAN RIGHTS, THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE, and THE DECLARATION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, (copy enclosed)

Thank You,

Mary Ann Mills

Mary Ann Mills

TESTIMONY OF BART K. GARBER
INDIVIDUALLY AND FOR THE NATIVE VILLAGE OF TYONEK

My name is Bart Garber. I am member of the Native Village of Tyonek and a staff attorney for the Native American Rights Fund. My remarks today are my own, and where attributed, those of the Native Village of Tyonek for whom I serve as a member of the tribal council, and not those of our village clients around the state. Some of my comments concern activity which began while I served as assistant professor and director of Alaska Native Programs at the University of Alaska in Fairbanks.

My comments address the AFN Report on the Status of Alaska Natives: A Call for Action and fall into two areas of concern: 1. The need to develop an accurate and complete record before attempting any significant policy changes in Alaska Native programs; and 2. The need to remain sensitive to the needs of the Native population resident in Alaska Villages when balancing their interests against those of Natives who move away.

Creating a Record

The AFN Report is a useful starting point to "open a broad debate" on the issues related to the status of Alaska Natives and our communities. Admittedly, the AFN Report does not constitute the final or complete word on the conditions in which Native people find themselves. This Committee should continue to hold hearings and make use of other more workable forums to address proposed changes in Native program policies. Most people would agree that these debates should focus on the policy options and not the verifiable facts. Cooperation should be the hallmark of any fact finding process. Federal, state, tribal and private organizations and informed individuals should contribute where possible in the effort to accurately portray the status of Native people and our communities.

Native organizations and those which serve Natives tend to develop tunnel vision due to the nature of our missions, funding, or institutional philosophies. For example, most ANCSA corporation executives necessarily focused on the bottom line these past 18 years. Village based tribal and municipal officials concern themselves with local matters like clean water, emergency health care, and public safety. Educators at the secondary and university levels rarely know what happens to students once out their doors. Upon reflection, I believe our collective experiences will reveal a multitude of nuances and correlations which could be critical to any Native program policy debates.

A ripe opportunity to supplement our Native program policy data base approaches in the form of the 1990 United States Decennial Census. For the first time, one out of two households in rural will be asked to respond to census questionnaires versus the one in six in the past. Done well, the 1990 census could result in the most representative demographic profile of Alaska Native yet produced. Standard and special tabulations of this data will be invaluable in assessing the objective situation of Alaska Natives in areas such as age and sex, households and families, marital status, fertility and mortality, migration, education, labor force participation, occupation, and income and poverty. Indeed, what we believe is the first comprehensive monograph of the demographic history of Alaska Natives just now nears completion.

Dr. Michael Levin, a small populations demographer at the Bureau of Census and I, with the help of the State of Alaska, the College of Liberal Arts at the University of Alaska, Fairbanks, and the Bureau, have worked for over a year to complete a near final draft monograph which is presently being reviewed. The monograph covers demographic change among Alaska Natives from the first decennial census of Alaska in 1880 to the most recent 1980 census. The monograph is intended to provide a broad overview of the demographic, social and economic situation of Alaska Natives in Alaska rather than a detailed analysis of any one issue or community.

Data from the 1990 census can easily be incorporated into and compared with the data in the historical monograph. Special tabulations of more particular indicators and intra-census surveys, such as for subsistence activities (data on subsistence are collected in territories and possessions but not in states), would contribute even more information critical to matters before your committee.

Village Residents and Their Communities

The AFN Report includes preliminary findings and recommendations based upon research by the Institute of Social and Economic Research. The Native Village of Tyonek concurs with some of the particular and some of the broader observations but beg to differ with other critical inferences which could be drawn from the findings and recommendations. Although the number of Natives residing in urban areas continues to increase, a majority of Alaska Natives will remain in the villages. This is our experience and one which will require a continued emphasis on the needs of Natives residing in villages. We differ with the broader inference the AFN study gives credence to--that but for the plethora of government assistance in rural areas, Natives would be moving to urban areas in droves and that village economies are buoyed by an artificially high level of federal and state aid which in the long run is not "sustainable."

We know there are more substantial personal, family and cultural reasons why Natives remain in their communities or desire to do so. Second, the level of state and federal aid to communities should not be the main criteria for determining which economies are "sustainable" and by extension where most people should live. Based on these criteria, the Committee could be forced to expand its mission and consider why every urban and rural community in Alaska, with the exception of the North Slope, Kenai/Nikiski, and Tyonek/Beluga (communities with petroleum resources), should not relocate to Los Angeles. In a state where both the federal and state governments have opted to retain, and properly so, large blocks of public land, redistribution of government proceeds from those properties to local communities has been and will continue to be a fact of life.

We agree that much work remains to facilitate self-help in villages and to improve mechanisms for rural Natives, their families and communities to influence and guide social and economic changes in their communities. This will require significant adjustments in present policy. For example, the Alaska Native Claims Settlement Act emphasized a settlement scheme based on individual rights and "the right to travel." Since its passage, demographic trends together with the fact that the Native corporations are largely controlled by a diminishing number of Natives who happened to be alive in 1971 has left land use and tenure decisions in the hands of Natives who more and more live outside the village. Realignment of land ownership in the villages and a renewed emphasis on local regulation must be supported by federal policy.

Native residents of rural villages demand more flexibility in determining the appropriate relationship between tribal governments and ANCSA corporations. We have embarked on cooperative plans for economic development and local service delivery in Tyonek. The social engineering experiments of distant bureaucrats are not much appreciated in a community like Tyonek where our eighth recorded traditional chief only died in the late 50's and where our reorganized tribal council has delivered most local services and managed thousands of acres around the village from 1939 to the present.

The Native Village of Tyonek supports the effort of this Committee to adjust federal policies to better meet the realistic goals and expectations of Alaska Natives. We hope this work does not merely result in flipping the proverbial Indian policy pancake without any meaningful change in the batter. We do not need a rehashed urban relocation program. We could use innovative programs to meet the needs of Alaska Natives who voluntarily chose to live in the village, those who move to the city, and, as is usually the case, those who move back and forth.

COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS
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Daniel K. Inouye, Chairman
Select Committee on Indian Affairs
Washington, D.C. 20510-6450

SUBJECT: TESTIMONY OF THE CHAIRMAN OF THE COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS TO THE SELECT COMMITTEE ON INDIAN AFFAIRS REGARDING THE STATUS OF ALASKA NATIVES

My name is Clarence L. Alexander. I am the Chairman of the Council of Athabascan Tribal Governments (CATG) and, in that position, represent 10 federally recognized tribal governments in the Yukon Flats in the Interior of Alaska. Attachment 1 to my written testimony is an "Organizational Background Summary" with maps and an organizational plan. The CATG has been meeting since September of 1985 to develop the economy, strengthen and unify the villages of the Yukon Flats, and to protect the land and resources we depend on for our livelihood. There are so many areas of concern that we must deal with every day that it will be difficult to give you even a basic idea of the problems we face and the solutions by which we are trying to solve them. The following paragraphs will be an attempt to outline some of the issues we feel are important to deal with.

ALASKA NATIVE REPRESENTATION

We keep hearing from representatives of Congress and their staff people that we must have one unified voice before they will listen to us. We also sense that many of these same people listen to the Alaska Federation of Natives as the voice of the people of Alaska. The truth is that AFN represents only the interests of the Native Corporations of Alaska. These are organizations that exist only on paper - they do not represent people or the governments of the people. We do not recognize the Alaska Native Claims Settlement Act

(ANCSA) nor the Corporate structure as having any relationship to the tribal governments of Alaska. Through this Act of Congress, Native lands have been confiscated from the people who depend on them and, recently, the Act has been used to claim that there are no tribes in Alaska. We never once voted on ANCSA and we remain on our land today as we have for thousands of years and nothing can erase the record of our inherent sovereignty and rights.

We ask that Congress recognize the reality of this situation just as they recognized the tribal rights of the Menominee Tribe in their struggle against termination. The Menominee Tribe was also saddled with a dysfunctional and inappropriate corporate structure but Congress recognized this error and the Menominee Tribe now has its land back under trust. We would ask that the land that has been taken away from the tribes of Alaska be returned to the tribes of Alaska.

LOCAL CONTROL OVER PROGRAMS, SERVICES, AND RESOURCES

We have spent a lot of time and money - valuable resources - struggling and following one dead end after another - someone elses solution to their perception of our problems. It seems that for every program for Indian Tribes for Self-Sufficiency and Economic Development, we have found that there is always one more thing to do to accomplish our goals - there is one more study required or something is missing from the plan. After many years of going through the process of failure after failure, we see the problems and we also see solutions. What we need is adequate support for our own planning process while we design our own projects and programs and for implementation of our own social and economic development plans.

We know what will work in our communities and our region - we know our own people - projects and programs fail because they are not integrated into our value system. Federal and State programs are developed without our input and they are often very restrictive, leaving no room for adjustment for the processes that are part of our own way of life and value system. As an example, our trappers were given assistance after the devastating fires of 1988 under the Job Training Partnership Act, but in the end, we were asked to come up with a wage for trapping. (Please see Attachment 2) It just can't be done.

As another example, we consider the development of part time or seasonal jobs to be just as important or more important than the development of full time jobs because part time and seasonal jobs fit into our Subsistence Economy. Yet most federal and state jobs programs require us to create full time positions - they require people to change their way of life completely. We should be the ones to use those funds to create the kind of economy we can live with. People who want to live in a village economy are not trying to get rich - they are not trying to acquire a lot of material possessions - they are trying to build a stable productive economy that supports their Subsistence way of life.

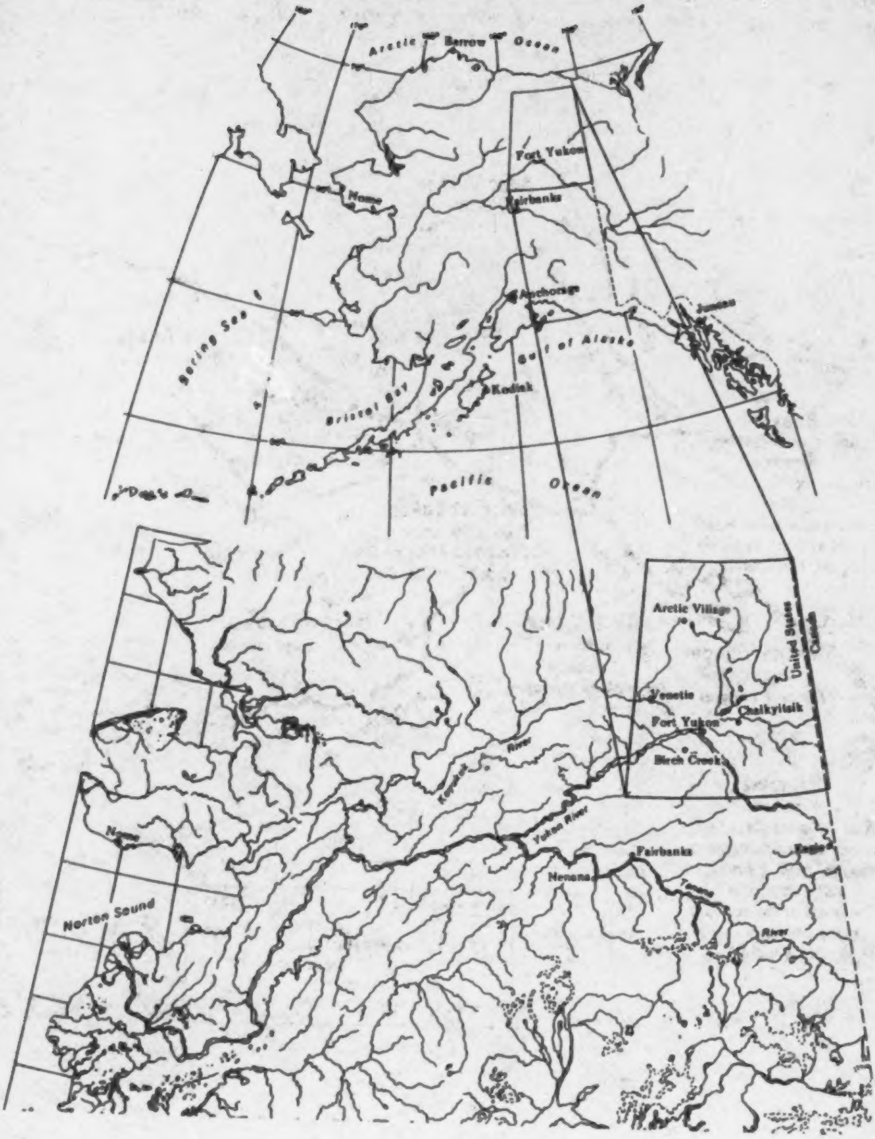
Parameters for federal programs should be broadly drawn to leave adequate room for individualized design. The Administration for Native Americans is a model of what we are talking about - the program definition allows for a maximum variety of projects and the grant application process, in itself, assists us to identify and define our goals and objectives.

Since 1985, the CATG has been struggling to develop an economy in the Yukon Flats. We have found that our economy has two main components - the Subsistence Economy consisting of hunting, fishing, trapping and seasonal or part time employment and the Cash Economy consisting primarily of state and federal government employment. A great number of administrative dollars are lost to our economy because the programs are administered outside our communities - Indian Health Service is a primary example. Fort Yukon, where I am Chief, is now a PL93-638 Contractor for BIA Programs and we see this as the path of the future. We have recently submitted an application to the Administration for Native Americans to develop the capacity of the CATG to contract under authority of PL93-638. We see this as a means to strengthen the economy and to regain local control over services and resources in the Yukon Flats.

The Yukon Flats Wildlife Refuge is part of the 10,000 square mile area within which our 10 villages are located. Management is currently implemented by the US Fish and Wildlife Service. Last year over two million acres were allowed to burn under the so called "Let Burn Policy". Over 25 trappers in the Yukon Flats lost their trap lines. Had we been involved with the development of the fire policy, in the first place, we might have been able to work with all the other agencies to meet the same objectives without ruining the Subsistence Economy. For example, controlled burns might have been implemented over the last several years to lessen the effects of abruptly changing fire policy from stopping all fires to the present let burn policy. We have been promised that we would be contacted and involved in all future policy making decisions. To date, we were never informed of any of the meetings which took place after this promise was made. The letters we received "answer" all concerns without doing anything. (Please see Attachment 3.)

We are continuously subjected to new regulations which seek to control Subsistence activities. No resource has every been depleted or lost in the Yukon Flats due to Subsistence activities. Even with modern technology, we manage our resources because we want our children to be able to depend on them. We think that we have the greatest interest in protecting our land

and resources and we ask that, as we attain the capacity to contract under PL93-638, that we be given contracts to manage the land we have been using for thousands of years. Not only would this serve the best interests of everyone in protecting the land - it would provide employment for our people in an area in which they have the deepest interest in maintaining.


Arctic Ocean
Barrow
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Fairbanks
Nome
Anchorage
Juneau
Bering Sea
Bristol Bay
Gulf of Alaska
Kodiak
Pacific Ocean
Arctic Village
Venetie
Chalkyitsik
Fort Yukon
Birch Creek
United States
Canada
Koyukuk River
Yukon River
Fairbanks
Nenana
Eagle
Tanana River
Nome
Norton Sound

COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS
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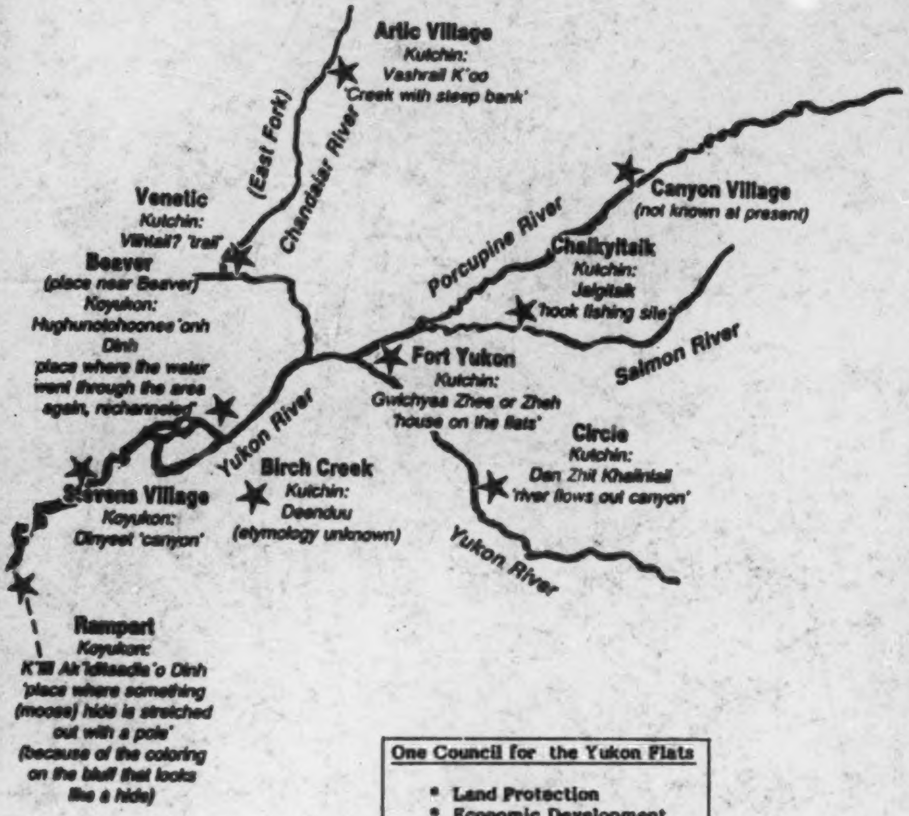
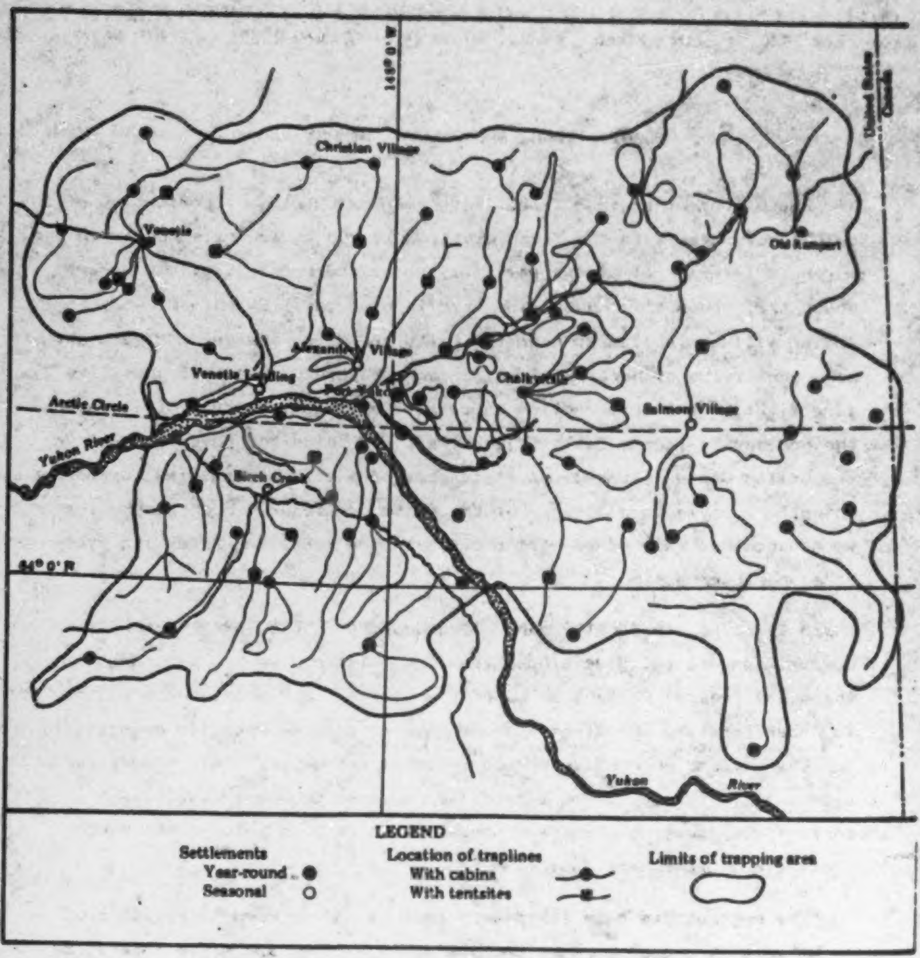

Artic Village
Kutchin:
Vashrail K'oo
'Creek with steep bank'
(East Fork)
Chandalar River
Venetie
Kutchin:
Vihtaii? 'trail'
Beaver
(place near Beaver)
Koyukon:
Hughunolohoonee'onh
Dinh
'place where the water
went through the area
again, rechanneled'
Canyon Village
(not known at present)
Porcupine River
Chalkyitsik
Kutchin:
Jalgiitsik
'hook fishing site'
Salmon River
Fort Yukon
Kutchin:
Gwichyaa Zhee or Zheh
'house on the flats'
Yukon River
Circle
Kutchin:
Dan Zhit Khalinlaii
'river flows out canyon'
Birch Creek
Kutchin:
Deenduu
(etymology unknown)
Stevens Village
Koyukon:
Dinyeet 'canyon'
Yukon River
Rampart
Koyukon:
K'ill Ak'idlaadla'o Dinh
'place where something
(moose) hide is stretched
out with a pole'
(because of the coloring
on the bluff that looks
like a hide)

One Council for the Yukon Flats

- Land Protection
- Economic Development
- Education
- Health


145° 0' W
United States
Canada
Christian Village
Venetie
Old Rampart
Alexander Village
Venetie Landing
Fort Yukon
Chalkyitsik
Salmon Village
Arctic Circle
Yukon River
Birch Creek
66° 0' N
Yukon River
LEGEND
Settlements
Year-round
Seasonal
Location of traplines
With cabins
With tentsites
Limits of trapping area

The Fort Yukon Trapping Area in 1949 (after Shimkin, 1955)

COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS
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ORGANIZATIONAL BACKGROUND SUMMARY

The Council of Athabascan Tribal Governments (CATG) is a consortium of 10 tribal governments in the Yukon Flats, a 10,000 square mile region in the Northern Interior of Alaska partially above the Arctic Circle. We are about 1,250 people in number and live in nine small Gwichin Athabascan Indian villages scattered over the Flats and along the Yukon River. We make our living by hunting, fishing, and trapping. Seasonal jobs like fire fighting and construction supplement our subsistence activities but the per capita income falls at least a third below the poverty level in the United States. Unemployment is about 80% with a resulting dependence on welfare payments and, many of the state and federal programs that we had come to rely on have been cut with the resulting recurring cycle of economic recession.

There is no stable locally controlled economy in the Yukon Flats. The communities are being developed from the outside. We are dependent on state and federal welfare or handout programs. Our subsistence economy is under constant threat because we have no control over its regulation nor the payment we receive for our natural resources. This threat is expressed in the following excerpts from seven Economic Development conferences, meetings, and workshops that have been held in the Yukon Flats since September 1985:

> "The control has been taken away from us and we need to regain it. We're a strong government because we're Natives and we're interested in our land. Like we always say, 'We're the boss of our land', and slowly it's being taken away from us and, if we continue allowing it, in the next five years, we won't have anything - we won't have control at all."

> "...we have to have the land under protection so that we can continue to live like we're doing. I mean, we can't live any other way - we've got to go out and shoot our moose - but this land is getting closed in. They come down with new regulations every year - it's tighter and tighter - pretty soon they might cut off trapping."

> "Like Simon here - he was raised up there in the canyon up the Porcupine and he couldn't even go around the bend and build himself a

cabin where he wants to. He had to get a permit and it took him a long time just to get that permit to build himself a cabin. Now, when that starts happening, that means that it's going to be happening to us too. And, he's living up there on the other end - he goes trapping up there every winter - all his life. Living up there all his life doesn't mean a damn thing to where the force is coming from - the force is coming this way - the force is coming in on us. If we don't stand together and go like that, then, we might as well kiss it good bye."

"After 1991, there's a good possibility they're going to start taxing all our land and, if they do that, we're going to have to sell a chunk of land to pay taxes on the rest of the land and, eventually, we won't have any land left. The cash economy is here in our natural resources - we're just not using it - and we're going to have to do it."

"One of the things that I would like to see is further development of our fur industry. All the trappers I know are getting ripped off. We could go as far as the finished product. We could make Lynx coats and Marten hats. Somebody else is doing that and making all the money - and they just give us ten cents on the dollar! I see those nice Lynx coats in Fairbanks, at Martin Victor. They cost $10,000 - $30,000 - really fancy. I don't see why we can't make that kind of product."

"It's not something that we're after - it's that responsibility has been taken away from us. For a long time we haven't been responsible for anything and, what we're really gearing up to do right now is trying to take control and take that responsibility - our responsibility to our community - is what we're really trying to do. We always leave it to somebody - we leave our responsibilities up to somebody else. I think it's time that we take control of our own responsibilities. I think that's really what we're doing."

* * * * *

Since the CATG first met to try to alleviate some of the conditions in our villages, lack of local control over economic activity in the Yukon Flats has been cited as a major problem. The dollars that do come to the Yukon Flats are not being circulated here. They migrate with the people who come in to work or are spent on commodities and services that could be provided here instead. When money is spent here for local products, ie. fur, the price paid is low because the trapper can't afford to wait for his money when selling outside.

So, the question and the problem has been, "What can we do to develop an economy that will maintain our subsistence way of life?" The Council of Athabascan Tribal Governments strives to create our own dollar here, in the Yukon Flats, by using our renewable resources in such a way that they remain in tact for future generations.

* * * * *

In September 1985, ten villages of the Yukon Flats met for the first Annual Social and Economic Development Conference in Fort Yukon:

- **To Protect the Land and Resources of the Yukon Flats**
- **To Promote Social and Economic Development in the Yukon Flats**
- **To Strengthen and Unify Communities in the Yukon Flats**

The accomplishment of these goals required that additional goals and objectives be defined:

- **To form a regional tribal organization of village chiefs to set policy and direction for the future of the Yukon Flats;**
- **To create a long range Social and Economic Development Strategy for a stable economic base consistent with our values;**
- **To conduct marketing and feasibility studies and develop work plans for businesses that fit into the planned economy;**
- **To establish working relationships with resources for technical assistance;**
- **To prepare future generations to live in the Yukon Flats by teaching them the skills necessary to build a better community;**
- **To deliver social service programs using local or regional tribal organizations to contract for the provision of these services;**
- **To develop our own research instruments for community development.**

During that first year, most of our energy was focused on organizational development. Native Village of Fort Yukon applied for and received an Administration for Native Americans grant for $42,000 to establish the Council of Athabascan Tribal Governments (CATG) as a consortium and to begin to implement some of its objectives.

By the Second Annual Social and Economic Development Conference several meetings and teleconferences had taken place and the CATG members were impatient to get beyond the planning stage. We wanted to begin work on a project that would produce results in the near future - before people could lose interest in yet another project that was all talk. Unifying the Yukon Flats was not the easiest of tasks so we also wanted a project that would hold us together by affecting as many people as possible. We therefore decided to develop the fur industry because:

- **it is an integral part of the subsistence way of life in the Yukon Flats;**
- **it utilizes a renewable resource that is readily available;**
- **the Yukon Flats supplies some of the highest quality fur in the world;**
- **the technical skills required by the industry are already in place and trapper training for specialized market preparation could easily be implemented to enhance and adapt these skills;**
- **the development of an already existing industry will bring more immediate benefits to the trappers who represent an economic distribution network that reaches every family in the Yukon Flats region.**

In November 1986, we requested that Tanana Chiefs Conference (a non-profit regional organization including 43 villages of the Interior of Alaska) help us to test market raw fur from the Yukon Flats as a cooperative. The TCC Executive Board agreed to the project and a co-op fur buyer was sent to the villages - making three trips during the season -and sending our fur to auction in Seattle. TCC had already developed its own fur industry development "scenario" for the Interior but, by February, it became apparent, to us, that we needed to develop financial documents and more marketing research for a professional prospectus to be used in acquiring investment capital for the operation of our own co-op.

At a trappers meeting held in mid April, we discussed the results of the test market project and the need to develop a financial package. It was decided to incorporate the Yukon Flats Fur Cooperative and that the CATG chiefs would take responsibility for setting it up and act as the interim Board of Directors. As a consortium of tribal governments, the CATG was eligible to apply for an ANA grant to develop the new organization and the business prospectus.

In June 1987, the co-op was incorporated under the State of Alaska and, in October, after work on the new ANA grant began, RurAL CAP's attorney drafted the bylaws. Fairbanks Native Association developed a Request for Proposals for the Marketing Study and Business Prospectus. Richard L. Block and Associates was hired to do the work and the Marketing Study and Business Prospectus were completed by October 1988.

* * * * *

Ever since fur trapping was promoted for trade by the Hudson's Bay Company in the 1840s, the trapper has been selling his fur to a middleman who then sells the fur at auction or to a manufacturer. The trapper has rarely benefited from the sale of any finished product except for craft and clothing items used locally. The trapper has never realized the full potential value of his fur due to the structure of the economic pyramid - he has always been at the bottom with the buyer and manufacturer way above. Even today, the trapper has to sell his fur as soon as possible in order to pay off accumulated debts and to purchase more supplies to continue trapping. It is a vicious cycle and a fly-in buyer with ready cash realizes a 25% to 50% profit depending on how urgently the trapper needs the money.

By forming the Yukon Flats Fur Cooperative, developing the business prospectus and marketing study, and engaging in a scaled down trial operation during the 1987-1988 season, the trapper has taken the first step toward breaking the cycle and getting top value for his fur.
The cooperative, by advancing money on his fur, gives him breathing space to wait for the higher price at auction (or another market). Then, after the auction, the trapper receives another check for the difference between what he got as an advance and the auction price minus costs.

Last year, 18% was taken from gross receipts with 10% going to the co-op. This money paid for all costs directly related to co-op operations and partial payment of the village agents. Management of the operation was done by the ANA Project Manager and ANA Administrative Assistant with direction from the Interim Board of Directors and was paid for by the current ANA grant as part of the effort to develop the Yukon Flats Fur

Cooperative.

By establishing an agent in each village, the co-op has taken another step toward controlling the resource and obtaining a larger share of the market because the trapper can go out on his trap line, return and get an advance on his fur immediately instead of waiting until the buyer shows up. This gives trapper more control over the use of his time and resources.

During the 1987-1988 trapping season, the Yukon Flats Fur Cooperative shipped about 1,000 Marten and advanced trappers about $50,000 for them. Those Marten are expected to maintain early season averages so should come out with a value of about $95,000. We cannot compare precisely what the buyer would have paid a trapper for a particular fur. However, we do know that the very best Marten would have brought $95 from the buyer while the trapper got $135 by selling with the co-op. The average for the co-op, overall, for Marten, was about $95 which is considered to be a high average by our trappers.

But the most important change is occurring less in terms of money than in terms of control. Our definition of local control means being in charge or taking responsibility for everything that goes on in our community - restructuring everything that has come to pass since welfare first came to the Yukon Flats in 1950. It was put this way at one of our meetings:

> **"I remember when I was going to the BIA school, I couldn't talk my language, and you got the idea that people talking English was the rule at the time. And, now, we're trying to get our language back and people tend to stick to that rule that we had at that time and it's hard to break it. And, we're going to see a lot of that. If we try to change into Native control - Native Country - Indian Country - some of us - we're still going to have to think about these regulations and live with that for 20 years or so. And, it'll be hard to break people off that too but, then, I guess it's going to be a long process. But, they adapted to it, and it's just like one of those things, like we say, 'We got spoiled and we have to get un-spoiled!'"**

Operation of the Yukon Flats Fur Cooperative will give us control of a business which has always been controlled by someone outside. For the first time, we are setting the policies and structuring the operations to meet our needs. Traditionally, trapping has been a break-even operation and considered a subsistence activity. Trappers are independent and self-sufficient of necessity and the cooperative business structure is compatible with the way people live here. The cooperative offers an opportunity to build on our own natural and human resources without disrupting the continuity of values or life. By encouraging this industry, we keep our claim to the land strong and viable. By building on what is already comfortable to deal with, we can slowly develop our capacity for new concepts.

We have spent three and a half years now talking about the need for an economy in the Flats and fur is part of that plan. This project will move us one step closer to our overall goals to strengthen and unify our people, to protect our land and resources, and to provide for social and economic development in the Yukon Flats.

* * * * *

Planning often occurs through the use of outside consultants who facilitate community meetings for discussion and then put together the plan as they interpret the information they gather. We have several resource people who can train us to work with our own communities to do the tasks required in developing a community plan, ie. create inventories; plan, develop and prioritize projects; contract with agencies to do surveys, etc.; and work with state and federal agencies to develop greater local participation in village projects.

To develop local control, the CATG would continue to use technical assistance from the state to train local planners to carry out community initiated research and planning for economic development and also prepare them to contract for information gathering activities, such as surveys, which are now done by consultants. A few examples include: housing and weatherization surveys, community profile surveys for health services and the Department of Community and Regional Affairs, communications, Department of Transportation, and Borough studies.

Last year, we held one workshop for CATG planners with Elstun Lauesen, Department of Community and Regional Affairs. More are planned. By basing the work of the planners on a project specific basis, we give purpose and direction to the process of planning and, in modeling with a "real" project, the experience becomes transferable to other projects.

An example of a regional project being developed through this process is an agreement between CATG villages for bulk fuel purchase. This was initiated at a Planning Meeting, in March of 1988. The designated village planners are responsible for gathering statistics on fuel consumption, transportation, and related costs. Other resources to the project include RurAL CAP's Energy Department and model purchase agreements made by other groups involved in bulk fuel buys.

* * * * *

The planning and development of model projects is how the Council of Athabascan Tribal Governments is implementing our long range goals for local control and economic self-sufficiency. They fit into our comprehensive plan to develop industries that are compatible with our subsistence economy and way of life. At the same time, each of them moves us one step closer to our overall goals for Strength and Unity, Land and Resource Protection, and Social and Economic Development in the Yukon Flats.

* * * * *

COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS
p. o. box 126 * fort yukon, alaska 99740 * (907)662-2587 or (907)662-2581

RESOLUTION 88-05

REQUESTING THAT CERTAIN ACTIONS TAKE PLACE REGARDING FIRE MANAGEMENT IN THE YUKON FLATS IN THE INTERIOR OF ALASKA

WHEREAS: The Council of Athabascan Tribal Governments is a tribal organization authorized by the tribal governments of the villages of the Yukon Flats in the interior of Alaska; and,

WHEREAS: The purpose of the Council of Athabascan Tribal Governments is to conserve and protect tribal land and other resources; to encourage and support the exercise of tribal powers of self-government; to aid and support economic development; to promote the general welfare of each member tribe and it's respective individual members; to preserve and maintain justice for all; and to otherwise, exercise all powers granted by its member villages; and,

WHEREAS: The Athabascan Indian people of the Yukon Flats continue, as they have since time immemorial, to derive their living from the land and its renewable resources including fur bearing animals; and

WHEREAS: Hunting, fishing, and trapping provide for the nutritional, cultural, and economic well being of our people; and,

WHEREAS: High unemployment and shrinking state and federal programs have caused recurring economic recession and reinforced our determination and need to depend on the land for survival; and,

WHEREAS: During the Summer of 1988 numerous forest fires were ignited on traditional hunting, fishing, and trapping lands and Native Allotments in the Yukon Flats in the Interior of Alaska; and,

WHEREAS: According to personal testimony from several trappers, when the fires were still small and manageable, they had informed the Bureau of Land Management and requested that the fires be manned immediately to avoid the danger to their trap lines and Allotments; and,

WHEREAS: The United States Fish and Wildlife Service requested the Bureau of Land Management not to fight these fires because of the current Fire Management Policy of Zoned Suppression popularly known as the "Let Burn" Policy and because they say that the growth which would occur after the fire dies out would constitute good moose browse; and,

WHEREAS: Over one million acres of valuable waterfowl habitat have been destroyed in the fires of the summer of 1988 as a result of the fire management policies of the U.S. Fish and Wildlife Service contrary to the intent of the Alaska National Interest Lands Conservation Act; and,

WHEREAS: This land constituted the trapping lands and livelihood of over twenty five trappers whose cabins, equipment, and traditional trap *lines were burned; and,*

WHEREAS: Known, traditional cabins were allowed to burn if they had no "permit"; and,

WHEREAS: The damage caused by these fires will significantly impair trapping in the Yukon Flats for the next twenty years and there after; and,

WHEREAS: The smoke from these expanded forest fires blanketed the Yukon Flats for many days causing great danger and discomfort to the health and safety of all the residents of the Yukon Flats and seriously interfered with aviation in the Yukon Flats; and,

WHEREAS: The cost of fighting the fire at the outset would have been relatively small; and,

WHEREAS: After the Fish and Wildlife Service recognized these dangers, the Bureau of Land Management began fighting the expanded fires at enormous expense; and,

WHEREAS: The BLM did not insure the safe evacuation of the village of Birch Creek nor did they make arrangements for their basic needs after evacuation, asking the villagers to make a very dangerous trip on the river in their own boats, risking breakdown and getting caught in what could quickly become a hazardous fire area when fixed wing air transportation was readily available in Birch Creek and Fort Yukon, a short flight away; and,

WHEREAS: Fire crews were brought in from Nevada, Idaho, etc. as trainees from the lower '48 while seasoned local Native fire crews were available; and,

WHEREAS: While Alaska Native fire crews are highly skilled in their work and train lower '48 fire fighters, there are numerous areas of potential employment in the fire service for which Alaska Natives are not trained; and,

WHEREAS: These problems clearly outweigh any benefits derived from the creation of moose grazing habitat; and,

WHEREAS: These problems could be prevented in the future by aggressively fighting forest fires in the Yukon Flats and by including the Council of Athabascan Tribal Governments in any future Fire Management Planning meetings.

NOW THEREFORE BE IT RESOLVED THAT the Council of Athabascan Tribal Governments requests that action be taken to by the U.S. Fish and Wildlife Service and the Bureau of Land Management to gauge the full impact of the 1988 Summer fire season on the Yukon Flats and take steps to resolve the problems raised in this resolution; and, THAT: the Council of Athabascan Tribal Governments requests the Department of Community and Regional Affairs of the State of Alaska, the U.S. Fish and Wildlife Service, and the Bureau of Land Management fund an assessment program to be completed in each affected village in the Yukon Flats to document and estimate trapline loss, cabin loss, equipment loss, new start-up costs and overall long range income loss to individuals in the Yukon Flats as a result of the 1988 Summer Fire Season; and,

THAT: the Council of Athabascan Tribal Governments requests that they become part of any future Fire Management planning effort that will effect the Yukon Flats; and,

THAT: the Council for Athabascan Tribal Governments requests that the current Fire Management Plan be changed to reflect the concerns of this resolution; and,

THAT: A reforestation program be instituted in the Yukon Flats utilizing local Native hire from the Yukon Flats to implement the program; and,

THAT: A program be implemented to provide training opportunities and employment for Alaska Natives in every type of fire service work from labor to management; and,

THAT: Hiring procedures be changed to have recruitment closer to the fire season rather than in December which is too far ahead for people to plan; and,

THAT: Step tests be given at the time of hiring for those that want to work but do not have updated red cards: and,

THAT: A program of medical testing be instituted whereby a check-up would be sufficient to receive a red card.

ADOPTED OCTOBER 13, 1988, AT THE FOURTH ANNUAL MEETING OF THE COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS AS RECONVENED IN FORT YUKON.

Clarence F. Alexander CFE Date 10-14-88
Clarence F. Alexander, Chairman

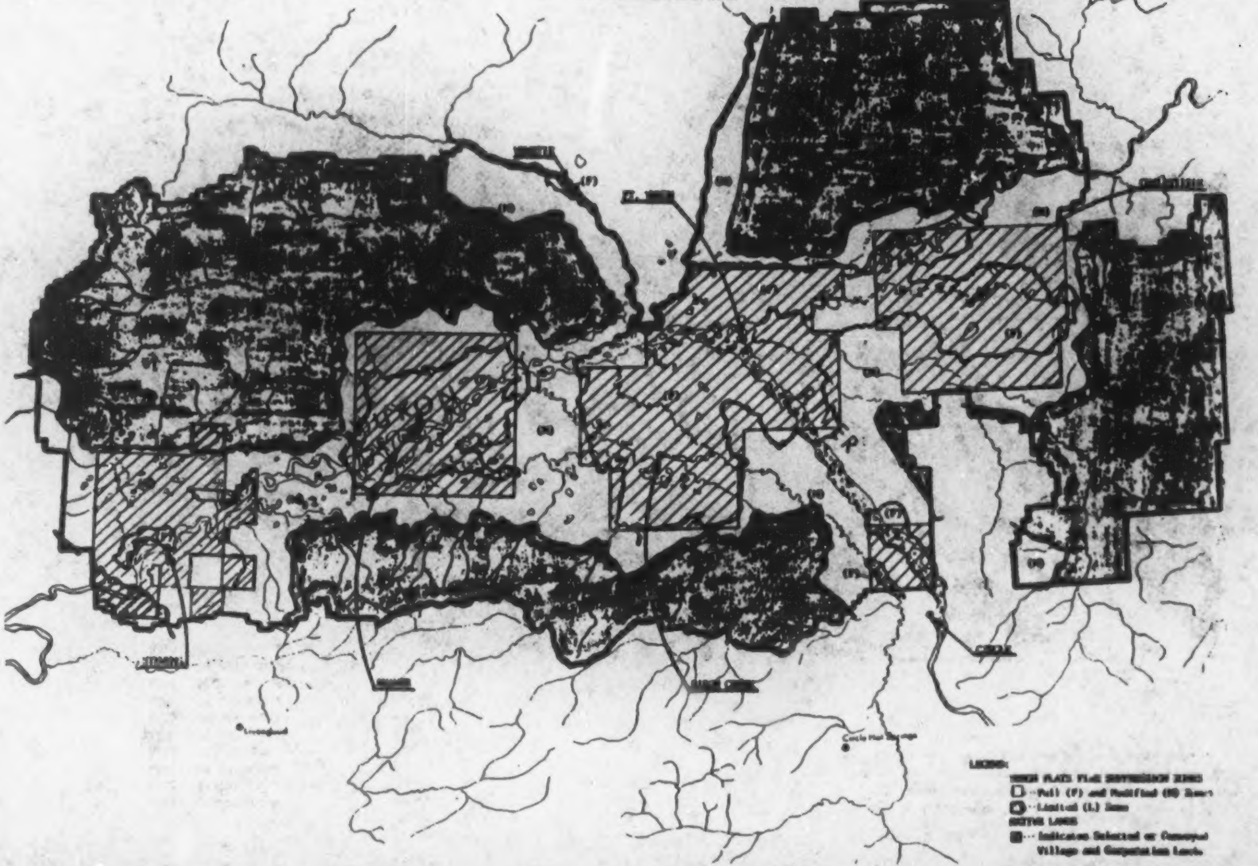
Date 10-14-88
Paul Williams, Sr., Member

Date 10-14-88
Larry Nathaniel, Member

Ernie D Erick Date 10-14-88
Ernest Eric, Member

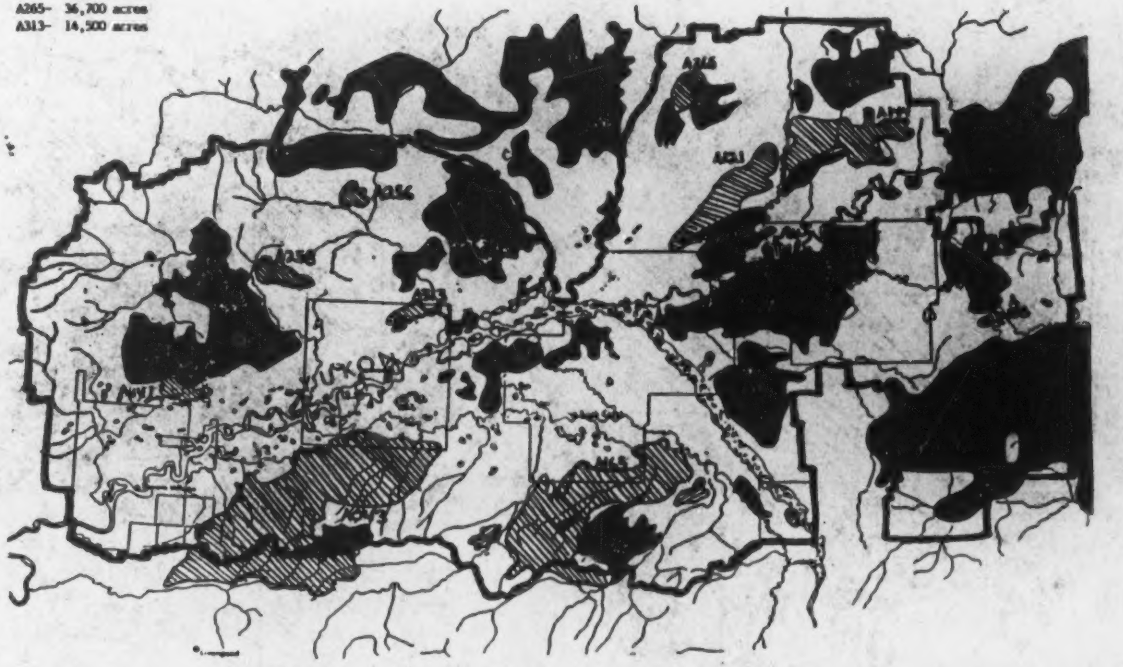
Date 10-14-88
Randall Balaam, Member
Randall Baalam

YUKON FLATS NATIONAL WILDLIFE REFUGE
MAP OF FIRE SUPPRESSION ZONES


LEGEND:
YUKON FLATS FIRE SUPPRESSION ZONES
☐ ··Full (F) and Modified (M) Zones
··Limited (L) Zone
NATIVE LANDS
▨ ··Indicates Selected or Conveyed Village and Corporation Lands
(F)
(M)
(L)

A043- 566,800 acres
A121- 113,250 acres
A141- 64,800 acres
A144- 144,000 acres
A158- 8,320 acres
A165- 309,106 acres
A256- 35,500 acres
A258- 58,200 acres
A265- 36,700 acres
A313- 14,500 acres

Draft 10-04-88
Please note that acreage figures and map location for the 1988 fires are still tentative since the Final Fire reports have not been completed.



Distribution of major wildfires which have occured on the Yukon Flats Refuge, 1950 to present.
Note: 1987 wildfires are shown as ▨ and 1988 major wildfires are shown as ▨ .

RECEIVED NOV 2 1 1988

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1011 E. TUDOR RD.
ANCHORAGE, ALASKA 99503

IN REPLY REFER TO:

RF(N)/8903r

NOV 1 7 1988

Mr. Clarence Alexander, Chairman
Council of Athabascan Tribal Governments
P.O. Box 126
Fort Yukon, Alaska 99740

Dear Mr. Alexander:

I have received a copy of your Council's resolution #88-05 concerning fire management on the Yukon Flats National Wildlife Refuge this past fire season. It was sent to me by Bob Polasky of the Rural Alaska Community Action Program, Incorporated.

I will limit my response to the first five issues. The last four pertain to training and employment policies that are basically the responsibility of the Alaska Fire Service. Your first resolution asks that we take steps to resolve the problems raised in this resolution. I feel that this letter is one step that will help to develop better lines of communication. I know that the refuge manager of the Yukon Flats National Wildlife Refuge has recently met with the Subregional Advisory Board of the Tanana Chiefs Conference, Inc., in Fort Yukon to discuss the past fire season. The Board also presented him with additional resolutions adopted by them and he has offered to meet with the Board again in the near future. Similarly, by copy of this letter I am directing the manager of the Yukon Flats National Wildlife Refuge to meet with the Council of Athabascan Tribal Governments to discuss these issues in detail should the Council request such a meeting. Obviously as neighbors on the Flats we must strive for good communication to resolve problems.

Your second resolution asks that the Fish and Wildlife Service participate in funding an assessment program to document and estimate the overall long range income loss to individuals on the Yukon Flats as a result of the 1988 summer fire season. This agency does not have adequate funds to conduct such an assessment; however, we will assist in the process by providing information to help the Council to map the fire boundaries and determine acreages burned. Beginning this winter, the refuge staff will be conducting habitat and furbearer surveys to try to measure the impacts to the natural resources. These ongoing surveys may, in the future, help to document the long range economic impacts of wildfires - - many of which may be more beneficial than perceived in the past.

The third and fourth resolutions request that your Council become part of any future fire management planning effort that will effect the Yukon Flats. We would welcome your input now as we did in the past when the fire management plans were initially developed. For the next several months the fire management program nationwide will be reviewed by a host of concerned agencies, groups, and individuals. Alaska is included in this review and I can assure you that the Council will be advised of any meetings and processes that relate to this planning effort on the Yukon Flats. Again, I would urge your Council to arrange a mee[illegible] with the staff of the Yukon Flats National Wildlife Refuge to disc[illegible]s past fire season. This would provide for a better understanding [illegible] actually happened, why some decisions were made and determine what m[illegible]t be the most appropriate course of action for the future.

Your fifth resolution asks that a reforestation program be instituted in the Yukon Flats utilizing local Native hire from the Yukon Flats. This kind of effort would be cost prohibitive and I believe unnecessary since the burned areas will naturally regenerate with trees and shrubs. However, there is another possibility that could be investigated that might provide opportunity for Native employment. Fire crews might be used to cut fire lines around important areas or resources during an off fire year as a preventative measure. This is done in the lower 48 and is something that could be explored with the Alaska Fire Service.

I think it might be helpful to point out some important elements of the 1988 fire season and the fire management plans. This was a very dry year and the large fires occurred in part due to the drought as well as the past buildup of hazardous fuels. Large fires also occurred prior to implementation of the fire management plans in 1984 when there was full fire suppression throughout the Flats. With the state-of-the-art fire suppression techniques currently used by primarily non-local smoke jumpers and hot-shot crews, about 90-95 percent of all fire starts are put out. To initial-attack all fires as in the past may actually have the effect of decreasing the employment of local fire crews. With the current fire management plans, the buildup of hazardous fuels will be reduced and future fires should be smaller and cooler although fire crews will always be needed to "steer" and manage the fires. Finally, within three to five years we believe that the furbearer populations should return to their pre-fire level and may even be considerably better.

I hope that I have adequately addressed the major concerns of the Council's resolution. I know that further explanation and discussion will be required on some points and that is where a meeting with the Yukon Flats refuge staff would help. I believe that such a meeting needs to be arranged soon. It will only be through good two way communication on the fire issues that they can be resolved. If you have any further questions please feel free to contact me or the refuge manager of the Yukon Flats National Wildlife Refuge.

Sincerely,

John P. Rogers

Dr. John P. Rogers
Assistant Regional Director,
Refuges and Wildlife

cc: Ms. Susan Peter, Subregional Director
Mr. Bob Polasky, Rural Alaska Community Action Program, Inc.
Refuge Manager, Yukon Flats National Wildlife Refuge

TESTIMONY OF

PAUL FROST

YUPIK ESKIMO

TOGIAK, ALASKA

Hearing Before

SELECT COMMITTEE ON INDIAN AFFAIRS

U.S. SENATE

on

THE STATUS OF ALASKA NATIVES

MAY 27, 1989

Anchorage, Alaska

Mr. Chairman, Members of the Committee. My name is Paul Frost. I am a Yupik eskimo, a shareholder in the Bristol Bay Corporation and deeply concerned about the future of our Native peoples. I wish to thank the Committee for its time and effort in coming to Alaska to investigate the status of Alaska Natives. I believe and understand the difficulty that comes in trying to satisfy the demands of the majority of your constituents, your own consciences, and to contribute to the well-being of humanity within your concentric circle. May I indulge upon your patience and time to share these thoughts.

I heard testimony and have read books and articles concerning the status of native peoples, what do you think?
Russia as a country or the Russian-American Company never did own our territory of Alaska. In the Russian Memorandum Marked AA from Mr. Clay to Mr. Seward dated November 21, 1867, Mr. Clay states: " No attempts were ever made and no necessity ever occured to introduce any system of land ownership."

Since the history of money in America the native peoples have unjustly been exploited in all ways. But, concerning Alaska and the history that I understand from my great-grandfather, we have never been a conquered people. In fact, in one of our wars we drove the Russians out of our area.

Whatever claim Russia had on Alaska was brought about by the commercial exploitations of the Russian-American Company. But, during the 50 years after 1799, the Hudson Bay Co. and the American-Russian Co. came into competition. Because of competition and problems marketing their products, the Russian-American Co. soon proved to be an embarrasment and Russia feared that the British Navy might forcefully take the Russian Colonies. So, it was concluded, that the government of Russia would be ahead monetarily, economically and politically if it sold it's "supposed" territory to the United States. The negotiations for the purchase of Alaska, a move directed primarily against England, were initiated during the presidency of Franklin Pierce. But, it wasn't until the presidency of Andrew Johnson that Secretary of State William Seward worked out the deal with the Privy Councillor of Russia Edward Stoekl. This deal was taking place not many years after the United States had gone through the Civil War. The country's coffers were virtually empty and the people weren't interested in an increased tax burden, so William Seward clothed the whole deal in a secret treaty. In fact, the whole transaction smelled of corruption and if some members of Congress had not been bribed, the secret treaty would definitely have met with congressional opposition. But it must be taken into account that the idea of expanding the territory of the United States at the expense of Alaska was not without certain fascination in some influential, financial circles. We, the aboriginals, are the rightful guardians of this land in Alaska. We have watched over this land for thousands of years, welcoming all foreigners. Now, these foreigners calling themselves businessman are actively practising Malthusianism genocide on the native people of Alaska, for profit.

In 1932, there was an international conference to promote "eugenics" held in New York City. They are followers of Cecil B. Rhodes proposal to wipe out major portions of the colored peoples of the world and this mass-murder is to "make room" for the future breeding activities of the Anglo-Saxon stock, to help promote civilization. Whether or not Mr. Rhodes ideas have unlimited amounts of money behind them or the general public is aware of these plans is unknown but please be patient and read on.

Since Hitler's concentration camps were exposed at the close of World War II, the Malthusians have considered it prudent to avoid any conspicuously public association of themselves with eugenics. To replace Nazi-smelling eugenics, a new pseudoscience has been cooked up and promoted as the putative "scientific" basis for genocidal policies such as the Jimmy Carter administration's Global 2000 and Global Futures. That Malthusian pseudoscience in currency today is called "systems analysis".

Policies whose intended effects are nothing but such genocide have been embedded in current policies of practice of the Draper Fund, Rockefeller Fund, Aspen Institute, George Ball, the World Wildlife Fund, International Monetary Fund, the World Bank and key agencies of the United Nations Organization.

It is argued that "Systems Analysis" in and of itself could be used for either good or bad purposes. On the contrary, each and every effort to apply the assumptions of "linear equilibrium models" to any scale larger than short term "microeconomic" tasks is by itself intrinsically genocidal policy-making, The effect of introducing "systems analysis" is to promote devolution of the economy. When such applications to "microeconomics" are made under present world conditions, the mere advocacy of "systems analysis" becomes in and of itself complicity in capital offenses against the Nuremberg Code, complicity in the crime of genocide.

The following is a by product of "systems analysis".
Public Law 92-203

An Act

To Provide for the settlement of certain land claims of Alaska Natives " and for other Purposes".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the " Alaska Native Claims Settlement Act ".

Declaration of Policy*

Sec. 2 Congress finds and declares that-

(a) there is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims;

(b) the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives, without litigation, with maximum participation by Natives, in decisions affecting their rights and property, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska;

Declaration of Settlement

Sec. 4 (a) All prior conveyances of public land and water areas in Alaska, or any interest therein, pursuant to Federal law, and all tentative approvals pursuant to section 6 (g) of the Alaska Statehood Act, shall be regarded as an extinguishment of the aboringinal title thereto, if any.

(b) All aboriginal titles, if any, and claims of aboriginal title in Alaska based on use and occupancy, including submerged land underneath all water areas, both inland and offshore, and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished.

(c) All claims against the United States, the State, and all other persons that are based on claims of aboriginal right, title, use, or occupancy of land or water areas in Alaska, or that are based on any statute or treaty of the United States relating to Native use and occupancy, or that are based on the laws of any other nation, including any such claims that are pending before any Federal or State court or the Indian Claims Commission are hereby EXTINGUISHED. [1]

From the standpoint of the language of the Nuremburg Code, specifically the draft of the Code elaborated by the leading U.S. representative, Justice Robert Jackson, we are in no way stretching the application of the literal language of International Law. In tracing Wartime Nazi genocide to the "euthanasia" pilot programs of the 1930 and in other exemplary respects, the Nuremberg proceedings proved a casual, determining relationship between academic and bureaucratic policy-making* and the actions of lower officials who murderously implemented the policies devised by the guilty academics and bureaucrats.

1.. excerpt- Alaska Native Claims Settlement Act, PL 92-203

Therefore, the Code specified the behavior of such white collar policy-influencers to be as explicitly a crime against humanity as that of the SS thugs who directed the queues into the gas ovens. Academics and officials-white-collar mass murderers- who "knew or should have known" the consequences to which their policy proposals must lead in practice, were to be held fully accountable in the future proceedings of International Law.[2]

As a matter of International Law how did the United States acquire Alaska legally? How did the United States acquire sovereignty over Alaska? What can the United States say if it's sovereignty over Alaska is challenged by another nation?

Those of you who have read about Amercan Indian Policy and Law have probably seen the doctrines of Discovery Occupation and Settlement which have been used as justification by the U.S. for it's acquisition of native territory since the 1820's. And indeed, the U.S. Supreme Court continues to maintain that is the basis of all American legal title to North American Lands, that is to say, "finding North America and putting people physically on the continent". Unfortunately, that doesn't work anymore in International Law. The doctrine of Discovery, Occupation and Settlement was rejected "repeatedly" by the general assembly of the United Nations since 1946. In 1975 the International Court of Justice (World Court), in the Netherlands, rendered a decision in a dispute between Moroco, Tunisia and Spain over a piece of Africa, which read; no European countries can acquire title to native territory without the consent of the natives. The United States has a judge on the International Court of Justice and the U.S. has agreed to abide by that decision, in general, in principle, as charter members of the United Nations they are obliged under the charter to abide by all law made by the World Court.

What about conquest? We always hear about the Indians in the lower 48 as being conquered people. Well, that doesn't work anymore either. The United States government itself is responsible for the so called Stimson Doctrine of non-recognition. The doctrine states that no legal rights are acquired through force or violence, a country doesn't acquire territory by stealing it. Secretary of State Stimson of the U.S., 50 years ago, formulated this theory which has been adopted by the U. N. and is considered essential to International Law. Even though a colonial empire may physically come into possession of a territory, the rights of the former sovereign or peoples of the former nation are merely suspended until the situation of belligerent and violent occupation is brought to an end, So, the doctrine of non-recognition seems to suggest that the whole idea of conquest, while historically inaccurate, is moreover legally insufficient.

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[2].. SYSTEMS ANALYSIS, White Collar Genocide; Lyndon H. LaRouche

What about treaties, concessions, which is the basis upon which the U.S. claims much of the lower 48 and upon which Canada claims at least the praire provinces? Well we know that there wasn't any. There isn't a series of specific expressed treaties or agreements between authorized representatives of the Alaska Native peoples ceding Alaska or ceding sovereignty of Alaska to the United States. I dare say, even the Alaska Native Claims Settlement Act can not be justly referred to as a treaty because there's no pretense that it was a mutual agreement between the United States and the natives of Alaska. It was an Act of Congress that was negotiated by some Alaskan natives, but it was not a specific agreement between two or any number of governments acting as the government of their peoples. The reason the U.S. did not want to do that is; if a specific agreement had been made, it might have acknowledged that Alaskan Native peoples continue to be sovereign nations capable of making a treaty and the U.S. did not want to do that. Instead the U.S. passed an Act of Congress that could be passed unilaterally hoping that native leadership would not be violently opposed to it. There are similar agreements in James Bay, Canada and Australia between the respective peoples, but problems are arising because these agreements might suggest that the native peoples do have political sovereignty, enough to make a treaty.

What about just a democratic exercise in the right to self determination? States, are groups of people that have recognized governments (International) which have all the cultural, historical and territorial characteristics as defined by the United Nations since 1946. What about Alaska? We are people which have all the cultural, historical and territorial characteristics of a state but for some reason, such as belligerent occupation, we don't have an Internationally recognized apparatus, or physical control over our own territory. How do we exercise the right to self determination? According to International Law, the way in which we exercise self determination is through democratic means, a plebiscite or better known as a vote. And that has meant in the case of scores of African, Asian and Pacific colonies all the peoples coming out and choosing among a number of options for their future that they prefer. This is exactly what was done in Puerto Rico and Micronesia but wasn't done in the lower 48 or here in Alaska.

I would suggest that we be allowed to design our own options. A full range of options should be present on the ballot, free from duress. We could petition the United Nations to referee such a plebiscite or vote to insure our rights. We have never been given any options, it didn't happen in 1959 (Statehood), or 1971 (ANCSA). We should go beyond questioning the scope and effect and interpretation of the Alaska Native Claims Settlement Act and question whether the United States could legally pass a law depriving native Alaskans of our civil and political rights, without our actual specific consent. We should challenge the Alaska Native Claims Settlement Act itself.

At this time in history, aren't we living in a democratic society? It's very strange that the entire destiny of Alaska has been decided without the consent of the native peoples in any ordinarily, recognizable, democratic way. I ask, could the Alaska Native Claims Settlement Act abolish our right to self government, even if it said so? Could the Act, made by the Congress of the U.S., take away our right to self determination without our consent specifically through our own native governments or with a plebiscite (vote)?

Suffice it to say, we have a very powerful responsibility to our childrens future and the future of the free world as described by the Constitution of the United States. The atrocities expressed in the Declaration of Independence and the fundamental rights of free people declared by the Constitution belong to ALL people. But, instead we are coerced and subjugated by a unilateral Act of Congress that effectively deprives us of our fundamental civil and political rights. The constitution states that the governments power is derived from the people.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness-That to secure these Rights, Governments are instituted among Men, deriving their just powers from the Consent of the Governed

I believe that the essence of freedom is the limitation of government. If given a choice between a democracy or republic, I would definitely choose a Republic and according to the Constitution of the United States, we are supposed to be living under a Republic form of government. With the right to a trial by jury and if the government is operating under the described checks and balances system, the United States form of government is the best in the world. A true Republic is one that has law which recognizes the rights of individuals and, therefore, the limitation in the law is not upon individuals but upon government.

Unfortunately, the Indians in America and recently the Natives in Alaska have never experienced these God-given rights under America's colonialism. To study Indian Law is to find case after case of despotism against the Indian Nations. In fact; the Indian tribe is sovereign to the extent that the United States permits it to be sovereign, neither more or less, (U.S. v Blackfeet Tribe 364 F Supp. 192) reaffirmed (369 F Supp. 562). Congress has the power to cancel unilaterally rights granted by Indian Treaty, (Blake v Arnett C.A., Cal 1981 663 F 2d 906). They finally decided to say that Congress can do whatever they want, whenever they want and however without regards to the Fifth Amendment or the Indians rights to Life, Liberty and Pursuit of Happiness, (U.S. v Sioux Nation of Indians-448 U.S. 371). Where can we go to secure the right of self determination?

The United States claimed sovereignty over Alaska under International Law in 1959 under the Statehood Act. The U. S. claims the Statehood Act and the Alaska Native Claims Settlement Act settles the legal rights of native peoples in Alaska. The Alaska Native Claims Settlement Act justifies third party trespass actions against us by foreign state enterprises. Our resources, our life blood, our future is off-setting the national debt of other nations of the world. The east-west debt structure has changed to a northward movement all over the world. Colonialism is dead and past. Indians and Natives alike have never had a voice in the existing system, but should have. We are a Sovereign people.

A question in point is this: I heard once, someone asking me, " Would we be better off being externally or internally sovereign, with regards to the United States?" As indicated in the previous pages of my testimony, I regard the Constitution of the United States with it's checks and balances as the best form of government in the history of the world. I would suggest that we as Native peoples in Alaska explore the possibility of being internally sovereign with regards to the United States. I would suggest that the commission consider helping us formulate the creation of another State within the Union of the United States. I believe that in all fairness, justice would best be served, concerning all the discussions of Sovereignty, if we as Native peoples in Alaska were allowed to entertain discussions with the commission about becoming another State.

In the final analysis, the only solution for our peoples to exercise Self Determination and Sovereignty is to become the 51st State in the Union of the United States.

CONCLUSION

Again I express my deepest thanks to the Committee for its interest in Alaska Native Affairs and would ask your serious consideration of my suggestions set forth above.

May 27, 1989 Saturday 2:05 p.m.

Alaska Hearings

To
Senator Dan Inouye of Hawaii
✓Senator Frank Murkowski of Alaska
Special Committee on Indian Affairs

From
Juliet Hartwick
540 "L" Street, #301
Anchorage, Alaska 99501
(907) 258-3387

My name is Juliet Hartwick. I am the granddaughter the late great Alaska Territorial Representative, Frank A. Degnan. I am the daughter of June Degnan and James William Hartwick. My family roots, heritage, and culture are from Unalakleet. Which is located in the Bering Straits of Alaska. I am a student attending University of Alaska - Anchorage, in the Justice program. Today I can be indentified as the,

1990's Post A.N.C.S.A GENERATION.

I am a growing part today's Alaska Native Society. I did recieve my corporation shares and benefits of A.N.C.S.A., but I was too young to participate in the politics. I will give a brief analogy and clear comparison for you to better understand the plight of the Alaska Native.

My generation does always benefit from these native entities. We are not supported or employed by our native corporations. If we chose to speak up, speak out, or challenge the cultural problems of our society, we can easily be black balled from our own tribe, village, and regional entities. Our greatest enemy is not always white society,but our own native leaders. I have learned from history that they are called the STATUS QUO. Within this room today, I can see a few of the STATUS QUO. I hope you can see them too. They are no different from FERDIDNAN and IMEDA MARCOS. They play on the sympathy of the Federal Government and the American Taxpayer. They benefit from the poor and disadvantaged. They are known as the

PRE-A.N.C.S.A. GENERATION.

They have benefitted from the renumeration, corporate status, and title as a Native Leader. The time has now come for their responsibility and accountability. There is a definite line between

Pre-A.N.C.S.A. and Post-A.N.C.S.A.

We do not need two more years of study, but we need two years of action. I am submitting my efforts to help the Special Committee on Indian Affairs. I am a creative and progressive worker. I have great respect for my culture and heritage, as well as, respect for all of Alaska Natives.

I am proud to take this risk to speak out.

"Ask not what your country can do for you, but what you can do for your country."(by President John F. Kennedy.)
Thank you for your time.

Sincerely,

Juliet Hartwick

Juliet Hartwick

(P.S. Senator Inouye,
The reason why some villages can not control or vote out their school board officals is that when a school district moves into a native village, The teachers, administrators, and their families become the MAJORITY BLOCK VOTE(RS).
It is not a very different story than
REPRESENTITAVE DAVID DUKE, the former Grand Wizard of the Klu Klux Klan (K.K.K.). It was the people who voted for him. And we can not stop the teachers, administrators, and their families from voting. They have the right to vote.)

ASSOCIATION OF ALASKA NATIVE
CONTRACTORS
P.O. BOX 190747
ANCHORAGE, ALASKA 99519-0747

May 27, 1989

To: The Senate Select Committee on Indian Affairs
Testimony Hearings
Federal Courthouse
Anchorage, Alaska

TESTIMONY

We have not come here today to testify on the grave injustices of the past. We have come here to stand up for our inalienable rights, not the least of which, is the opportunity to make a living and the freedom to control our own destiny.

Certain aspects of the Buy Indian Act, as they have been implemented by the different agencies of the federal government have deprived us of our rights guaranteed by the Buy Indian Act because we were the Original Americans.

We now have the opportunity to present before this Committee our recommendations on S. B. 321, which has been introduced by Senator Inouye to reafirm the original integrity and intent of the Buy Indian Act of 1910.

We are the **ASSOCIATION OF ALASKA NATIVE CONTRACTORS**. We are the people you are referencing in this bill when you speak of those "Indian Owned and Indian controlled enterprises who are ready, willing, and able to preform the contract."

First and foremost, we believe the reason that the Buy Indian Act needs reaffirmation is the fact that it contained too many ambiguous qualifier terms that were never defined. It allows too many contracting officers the legal avenues to justify non compliance with the crux of the act, **INDIAN PREFERENCE**.

What is the purpose of a law that contains the provision for any of the implementers to ignore and negate that law? Too much arbitrary and capricious control has been given to individuals who interpret, at will and convenience, those vague, nebulous ambiguous, qualifier terms.

It is those terms that are the culprits that have caused such confusion and various interpretations by the different federal agencies. S.B. 321 still contains some of these 'escape clauses.' Therefore, we recommend eliminating all those vague and nebulous terms and phrases that are too subject to personal interpretation. The specific terms and phrases we have identified are:

"...In the discretion of..."
-Entirely too much like a blank check.

"...generally comparable..."
-Define what is generally comparable to what.

"...responsibility of such enterprise..."
-What constitutes responsibility?

"...Extraordinary circumstances..."
-The only extraordinary circumstances we are aware of is an act of God or an act of Congress. We need a definition here.

"...maximum consistnacy..."
-Set guidelines for what constitutes maximum consistancy.

"...maximum participation..."
-Be consistant when you are setting your guidelines for what constitutes maximum participation.

"...greatest extent feasible..."
-Whose definition of greatest extent feasible?

We need definitive parameters whereby agencies can set guidelines and regulations to implement the true integrity of the buy Indian Act of 1910 and these Buy Indian Act Ammendments of 1989. The above 'escape clauses' that we have identified are simply intolerable. They are the very reason that agencies and contracting officers are getting away with non-compliance.

We agree with the premise put forth in S.B. 321 regarding "...companies and individuals that seek to take improper advantage of Indian preference opportunities. . . ", however, this statement does not go far enough. These individuals and companies do not only not contribute to the Indian economic Development and damage the credibility of Indian preference programs, but they devastate the very Indian people that Indian Preference was created to help. Indian 'fronts' hurt those of us who are legitimate. All the 'fronts' and abuses that exist make congress and the affected federal agencies more leary of Indian preference programs and more prone to eliminate the programs.

Eliminating the abuses in the program and the fronts that make it difficult for us to conduct our business is one of the major goals of the Association of Alaska Native Contractors.

Unfortunately, this bill also seeks to eliminate Joint Venture associations with Indian Contractors. The Bureau of Indian Affairs mission is predicated on promoting and supporting the overall socio-economic development projects of Native Americans with particular emphasis on private sector projects that will lead to improving Native economies and standards of living. The beauty and attraction of a joint venture is that it allows the Indian owned business the opportunity to utilize the financial resources and bonding leverage of it's partner. If you are going to seriously consider totally eliminating joint ventures in Construction with Indian Contractors, you need to seriously consider another program to fill the void left when these Indian owned companies can no longer bid on federal projects due to the lack of bonding. This needs to be explored more because it is a difficult question. We would like to offer the following possibilities for solutions:

1. Reduce bonding requirements for Indian firms to only 10% of a project rather than the 100% now required in most cases.

2. Combine the SBA guaranteed bonding program with Indian contractors bidding on Indian set-asides.

3. Waive the bonding requirement on Indian Set-Aside procurements when certified contractors with the Association of Alaska Native Contractors can show a history of successful completion of like projects.

4. Require the SBA 8A program to maintain an appropriate quota of certified Indian contractors for any given region based on percentage of Indians to total population.

5. Only permit certified joint ventures to bid on Indian Set-Aside projects. (as opposed to a simple representations & certifications statement)

6. Joint Ventures could be certified by your proposed Advisory Committee on Indian Preference (If you provide specific guidelines as to what constitutes certified).

This bill also recommends that there only be Indian Construction enterprises if they are 100% owned by Indians. In 1988, the Bureau of Indian affairs eliminated this category from their certification classifications, because it was extremely difficult to find enough of these 100% certified firms to provide a competitive bid process on any given procurement. This would also eliminate: a) partnerships (where one partner was not Indian), b) non-Indian spouses from being involved in an Indian enterprise, c) Stockholders in a corporation whose involvement in the Indian enterprise is strictly that of a Corporate financier, and d) legitimate joint ventures. In short, this Act should not dilineate between Indian contractors and other Indian owned businesses. All Indian owned Businesses should be required to be 'at least 51% Indian owned and controlled.'

We strongly endorse the creation of an "Advisory Committee on Indian Preference." The concept of one member from each of the federal agencies that are typically involved in Buy Indian Act solicitations is extremely benificial. Hopefully, by this we will be able to eliminate the vastly different certifying and regulating creteria used by each of the different agencies. We would recommment that these 1989 Buy Indian Act Ammendments expand the duties of the Advisory committee by:

1. Eliminating the certifying function of all other agencies.

2. Mandate that all other agencies abandon their old regulations and adopt a new set of regulations and definitions as endorsed by the committee

3. Establish guidelines to monitor the compliance of all contracting officers, agencies, tribes, private contractors who may not be Indian but are required to promote Indian preference in their award of subcontracts.

4. Provide the guidelines for an appeal process for anyone to protest a bid, a tribe, contractor, contracting agency or officer, etc.

This bill sould contain clear and concise verbage as to which bills, laws, acts, regulations, etc. that it superceeds. One of these of particular concern to us is the "Brooks Bill" which requires a minimum of "three qualified A & E" firms. The problem we see with this bill is that it uses that infamous nebulous escape clause of "qualified". Another source of real concern to us is the arbitrary way in which the SBA has selectively used some laws and ignored others (specifically, PL100-241, known as the 1991 ammendments), the SBA has also been guilty on not incorporating it's own policy decisions into a written policy on criteria for Indian Certified Firms with regards to small and disadvantaged status. The only way to mandate that all federal agencies fully comply with these 1989 ammendments is to make sure that we define them as clearly as is possible, precluding the need for inventive intrepretations.

Another big discrepency that we have identified is the BIA and IHS having their own constructin divisions. We have tried and tried to understand why Federal agencies are in the market competing with private enterprise. As much time as we have spen evaluating this problem, we can see no benefit to it. In light of the negative impact on the Indian Business development it has created, we would strongly encourage this Committee to add wording to S.321 to get the Federal Government out of the business of competing with private enterprise.

In closing, The Association of Alaska Native Contractors wants to convey to this Committee the serious time and effort we have employed in preparing this testimony. All the recommendations we have presented here today are based on many many factual case histories. We remain always, ready, willing and able to help the Congress of these United States of America create a positive environment whereby the Indian Contractors of our fine country have the opportunity to make a living and the freedom to control our own destiny.

Thank you for your time.

Sincerely presented for

THE ASSOCIATION OF ALASKA NATIVE CONTRACTORS,

Linda J. E. Henrikson

Linda J. E. Henrikson
President

TESTIMONY PROVIDED BY STANTON KATCHATAG TO THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS ON MAY 27, 1989 IN ANCHORAGE, ALASKA

I am the Chairperson of western Alaska Tribal Council comprised of 19 Bering Straits Region IRA and Traditional Council Presidents.

While I am therefore interested in many issues, my thoughts are very much centered with Tribal Status.

And like any matter of governomrnt, there appears Why? or a question ? and the answer is always Because of this and that.

I am concerned and value my tribal heritage. This to me is the inborn system of life that has survived for many generations. But the problem is, our cultural customs are suffering from political decease.

We are being ripped off from all sides. And we are forever, it seems, looking for solution when we should be constructing our governing system for security of ourselves, our lands, our families, and our homes. Instead we are forever defending.

We are constantly under attack from policy makers.

Our true Native identity is rooted within tribal affairs, under the circumstances of amendments to our rights by redefinitions of exisitng laws.

There is No Liberty and Justice for All.

Submitted by

Stanton Katchatag
Gen Delivery
Unalakleet, AK

PREPARED STATEMENT OF JACLYN MARY D. SALLEE

MY NAME IS JACLYN SALLEE, I AM STEERING COMMITTEE MEMBER OF THE ALASKA NATIVE COMMUNICATIONS SOCIETY. THE ALASKA NATIVE COMMUNICATION SOCIETY ROSE OUT OF CONCERN OF THE ALASKA PUBLIC RADIO NETWORK THAT THERE WERE NOT ENOUGH ALASKA NATIVES INVOLVED IN THE MEDIA.

IN JANUARY OF THIS YEAR THE FIRST ORGANIZATIONAL MEETING OF THE ALASKA NATIVE COMMUNICATIONS SOCIETY TOOK PLACE. MEMBERS FROM PUBLIC RADIO STATIONS AROUND THE STATE MET IN JUNEAU, TO SEE WHAT COULD BE DONE ABOUT THE PROBLEM OF POOR REPRESENTATION OF ALASKA NATIVES IN THE MEDIA.

THERE IS A STORY TO BE TOLD HERE IN ALASKA, THAT NEEDS TO BE TOLD BY THE NATIVES WHO GREW UP HERE. I GREW UP HERE IN ALASKA ALL MY LIFE, MOSTLY IN ANCHORAGE.

I WOULD LIKE TO SHARE WITH YOU ONE OF MY GREATEST CONCERNS. MY GRANDMOTHER IS 94 YEARS OLD AND SPEAKS ONLY HER ALASKAN NATIVE TONGUE INUPIAT. SHE LIVED WITH THE REINDEER AND THE LAND, AND SAW THE CHANGING OF CULTURE THAT NO LONGER LIVES. I YEARN TO KNOW THIS WORLD SHE GREW UP IN.

GROWING UP IN ANCHORAGE I NEVER HAD THE OPPORTUNITY TO LEARN MY NATIVE LANGUAGE INUPIAT. MY MOTHER SPEAKS FLUENT INUPIAT, BUT DID NOT TEACH ME. YOU PROBABLY WONDER WHY MY MOTHER DID NOT TEACH ME. I BELIEVE IT IS BECAUSE WHEN SHE WENT TO SCHOOL SHE WAS PUNISHED FOR SPEAKING INUPIAT. SHE AND OTHERS LIKE HER HAD TO HAVE SPECIAL SECTIONS IN MOVIE HOUSES AND WERE NOT ALLOWED INTO CERTAIN RESTAURANTS. HOW CAN SOMEONE TEACH A SKILL THAT THEY WERE PUNISHED FOR DOING WHEN THEY WERE A CHILD.

I CAN SPEAK TO YOU TODAY ABOUT THIS PROBLEM I HAVE. BUT I CANNOT SPEAK TO MY OWN GRANDMA WHO IS SO CLOSE TO ME. I CANNOT EVEN BEGIN TO EXPLAIN TO YOU TODAY IN THESE FEW MINUTES THE PAIN, FRUSTRATION AND ANGUISH I FEEL WHEN I SIT NEXT TO MY GRANDMA WISHING TO SPEAK AND LEARN FROM HER THE INUPIAT VALUES, AND THE SYSTEMS OF SURVIVAL IN THIS ARCTIC LAND.

I HAVE RECENTLY GONE BACK TO NOME TO RECORD SOME STORIES WITH MY GRANDMA USING INTERPRETERS, AND IT HAS HAS HELPED ME. WHAT WE AT THE ALASKA NATIVE COMMUNICATION SOCIETY WOULD LIKE TO SEE HAPPEN IS FOR OTHER CHILDREN AND PEOPLE LIKE ME TO GET TO LEARN AND FEEL GOOD ABOUT BEING A NATIVE PERSON AND TO TELL IT TO OTHER ALASKANS AND THE WORLD.

WE AT ANCS FEEL THAT KNOWING YOUR CULTURAL HERITAGE CAN LIFT YOUR SELF-ESTEEM, YOUR SELF WORTH AND YOU WILL REFLECT THAT AROUND THOSE YOU KNOW SO THAT YOU WISH TO SHARE WITH EVERYONE. IF NATIVE PEOPLE COULD SEE PEOPLE LIKE THEMSELVES ON TV, IN THE NEWSPAPERS, ON RADIO SHARING IDEAS ON ISSUES, STORIES AND NEWS IN A WAY THAT NATIVE PEOPLE CAN RELATE TO IT WOULD PROVIDE THE NEEDED ROLE MODELS IN THIS STATE FOR THE YOUNGER GENERATION. THERE WOULD BE A REASON FOR NATIVE MALES TO GET TO KNOW THE WAY OF THEIR ELDERS. THEY COULD FEEL PROUD OF THE WAY THAT THEY LIVE SO MUCH SO THAT THEY COULD TELL STORIES. I THINK THIS COULD HELP WITH THE PROBLEMS OF SUICIDE, ALCOHOL ABUSE, THE CRIME RATE THAT TAKE PLACE AMONG OUR NATIVE PEOPLE IN ALASKA.

THE MECHANISM TO BE ABLE TO SHARE WITH THE REST OF ALASKA AS WELL AS

THE WORLD ABOUT THE ALASKAN NATIVE CULTURE NEEDS TO BE MADE. THE LANGUAGE THAT SHE SPEAKS, THAT I WANT TO LEARN NEEDS TO BE REINFORCED SO THAT IT DOES NOT GET LOST. I WOULD HATE TO SEE MY INUPIAT PEOPLE BECOME AN ENDANGERED SPECIES.

THERE HAVE BEEN EFFORTS IN ALASKA TO PROVIDE SOME OPPORTUNITY IN MEDIA, BUT NOT NEARLY ENOUGH. THE ALASKA PUBLIC RADIO NETWORK HAS WORKED HARD TO PROVIDE OPPORTUNITY TO ALASKA NATIVES. THEY DISTRIBUTE THE ONLY NATIONAL NATIVE NEWS SERVICE. THEY HAVE HAD AN ALASKAN NATIVE FELLOWSHIP PROGRAM AND CURRENTLY HAVE 2 MORE GOING ON. THIS EXTRA EFFORT NEEDS TO BE DONE MORE IN THE PUBLIC BROADCASTING SYSTEM AND IN OTHER MEDIA ORGANIZATIONS.

THE ALASKA NATIVE COMMUNICATIONS SOCIETY RECOGNIZES THAT IN ORDER FOR ALASKA NATIVES TO FEEL AS THOUGH THEY ARE A PART IN SOCIETY THEY NEED THEIR STORY NEEDS TO BE TOLD BY NATIVES.

THE ANCS STILL IN THE DEVELOPING STAGES. THE ANCS IS MEETING AGAIN IN JUNE, WE ARE DRAFTING UP BYLAWS AND DEVELOPING FUNDING PLANS FOR THE FUTURE OF ANCS. OUR MISSION IS TO PROVIDE TRAINING TO ALASKA NATIVES. AT OUR MARCH MEETING WE IDENTIFIED PROBLEMS VILLAGE STATIONS ARE FACED WITH, REGARDING TRANSLATING NEWS REPORTED IN ENGLISH INTO NATIVE LANGUAGES. MEMBERS ALSO FELT THERE IS A CURRENT VOID IN ALASKA FOR ALASKA NATIVES TO LEARN ABOUT AND EXPLORE THEIR OWN UNIQUE CULTURES, EVENTS AND VALUES OF OTHER NATIVE GROUPS IN ALASKA. PRESENTLY THERE IS NO SYSTEM WHEREBY TLINGIT AND INUPIAT PROGRAMMERS CAN EXCHANGE METHODS, IDEAS PROGRAMS.

OTHER PROBLEMS ADDRESSED WERE:

RECOGNIZE WHAT HAS ALREADY BEEN DONE WITH ALASKA NATIVES AND FOR IT TO BE DOCUMENTED.

PROVIDE TRAINING OPPORTUNITIES VIA VIDEO, HIGH SCHOOL REPORTING, FELLOWSHIP PROGRAMS, CONFERENCES, WORKSHOPS.

NATIVE LANGUAGE PROGRAMMING EFFORTS COULD BE COORDINATED WITH COLLEGES AND ELEMENTARY AND HIGH SCHOOLS TO TAKE ADVANTAGE OF EXISTING BI-LINGUAL PROGRAMS AND RESOURCES.

THERE IS PROBLEM OF RECRUITING AND MOTIVATING NATIVES FOR CAREERS IN MEDIA, SPECIALLY WITH SALARIES BEING OFFERED ARE NOT COMPETITIVE WITH OTHER JOBS.

ALL COMMITTEE MEMBERS FELT THAT ALTHOUGH THE THE EMPHASIS WILL BE ON NATIVE CULTURE, THE WILL BE A POSITIVE ATTITUDE TOWARDS BOTH CULTURES, THE TONE SHOULD BE POSITIVE.

ANCS WILL CREATE, GATHER, DISTRIBUTE AND ARCHIVE INFORMATION ON CULTURES, MUSIC DANCE AND NEWS OF ALASKA NATIVE PEOPLE.

ANCS ALSO FELT IT WAS VERY IMPORTANT TO SURVEY AND ANALYZE THE SATISFACTION AND NEEDS OF ALASKA NATIVES IN REGARD TO THE MEDIA.

I WOULD LIKE TO THANK YOU FOR HEARING THE CONCERNS OF THE ALASKA NATIVE COMMUNICATIONS SOCIETY. IN CLOSING I WOULD LIKE TO ASK THAT IF YOU KNOW OF PEOPLE IN THE STATE OF ALASKA OR IN WASHINGTON WHO WOULD BE INTERESTED IN HELPING US WE WOULD BE GLAD TO TAKE YOUR ADVICE.

WRITTEN TESTIMONY FOR MAY 27, 1989 HEARING ON STATUS OF ALASKA NATIVES (ANCHORAGE ALASKA)

MY NAME IS WILLIAM MILLER. I REPRESENT THE TRIBAL MEMBERS OF THE NATIVE VILLAGE OF DOT LAKE ALASKA, AS WELL AS THE DOT LAKE VILLAGE COUNCIL, THE GOVERNING BODY OF THE NATIVE VILLAGE OF DOT LAKE ALASKA.

A. THE FIRST THING I WOULD LIKE TO ADDRESS IS THE AFN REPORT ON THE STATUS OF ALASKA NATIVES.

1. IF THIS REPORT HAD BEEN TITLED " STATUS OF ALASKAN NATIVE TRIBES " AND BEEN FOR A FEDERAL AGENCY, IT WOULD MOST LIKELY HAVE BEEN BLANK. ALL FEDERAL REPORTS, REGULATIONS, LAWS, AND REQUEST FOR PROPOSALS REFER TO OUR TRIBES AS "ALASKA NATIVE VILLAGES OR ALASKA ENTITIES". A LARGE NUMBER ALSO CARRY A DISCLAIMER IN REFERENCE TO GOVERNMENTAL AUTHORITY, INDIAN COUNTRY AND AUTHORITY OVER LAND. IS THIS DONE WITH OTHER TRIBES IN OTHER AREAS?

2. THE REPORT WAS VERY INTERESTING AND INFORMATIVE. THE MAJOR PROBLEM WITH THE REPORT WAS THAT IT ADDRESSED THE PROBLEMS PRIMARLY WITHIN WESTERN ALASKA. THE ALASKAN NATIVES AND TRIBES WITHIN THE INTERIOR OF ALASKA FACE THE SAME PROBLES AND THEN SOME. BECAUSE A LARGE NUMBER OF THE INTERIOR VILLAGES ARE ROAD CONNECTED AND/OR CLOSE TO URBAN AREAS, THESE VILLAGES FACE ADDITIONAL PROBLEMS.

a. WE MUST COMPETE WITH THE EVER INCREASING HUNTING AND FISHING PRESSURES FROM THESE URBAN AREAS. THE STATE OF ALASKA HAS DONE LITTLE, IF ANYTHING TO IMPROVE THESE CONDITIONS. IN A LARGE NUMBER OF OUR TRADITIONAL HUNTING AREAS, SEASONS HAVE BEEN GREATLY REDUCED OVER THE LAST 10 - 15 YEARS. WITHIN THE TRADITIONAL HUNTING AREA OF DOT LAKE VILLAGE, THE MOOSE SEASON HAS GONE FROM APPROXIMATELY 75 DAYS A YEAR TO 10-20 DAYS, WHILE THE SUBSISTENCE AND NON-SUBSISTENCE SEASON STILL REMAINS IDENTICAL. HARVEST OF MOOSE FOR THE VILLAGE HAS DECLINED TO A POINT THAT PRESENTLY THERE IS NO MOOSE MEAT IN THE VILLAGE. A RECENT ATTEMPT BY THE VILLAGE RESIDENTS, THROUGH THEIR VILLAGE COUNCIL, TO OBTAIN THREE PERMITS TO TAKE MOOSE, WAS REJECTED BY THE STATE OF ALASKA, BOARD OF GAME. THE BOARD DID NOT FEEL IT WAS AN EMERGENCY AND THE VILLAGE WAS TOLD TO MAKE ANOTHER ATTEMPT AT THE SPRING 1990 BOARD MEETING. WAS THIS THE INTENT OF ANILCA ? THE STATE OF ALASKA WANTS TO INTERPRET THE WORD "ECONOMIC" WITHIN THE CONTEXT OF ANILCA TO MEAN THE OVERALL ECONOMY OF A VILLAGE AND/OR COMMUNITY WITH NO CONSIDERATION BEING GIVEN FOR THOSE INDIVIDUALS WITHIN THE VILLAGE OR COMMUNITY THAT ENGAGE IN SUBSISTENCE HUNTING OR FISHING. MOST OF THE ACTIONS OF THE STATE OF ALASKA, TO DATE, HAVE BEEN IN FAVOR OF THE SPORTSMAN, WITH JUST A SUPERFICIAL ATTEMPT TO COMPLY WITH THE INTENT OF ANILCA. RIGHT NOW, AS THESE HEARINGS ARE TAKING PLACE IN ALASKA. A BILL IS BEING INTRODUCED IN THE HOUSE IN WASHINGTON D.C., AT THE REQUEST OF GOVERNOR COWPER, THAT WOULD GIVE A DEFINATION TO THE WORD "RURAL" IN REGARDS TO ANILCA, THAT WILL EXCLUDE A LARGE NUMBER OF OUR NATIVE VILLAGES FROM ENJOYING THEIR RIGHTS GRANTED UNDER TITLE VIII OF ANILCA. IS THE FEDERAL GOVERNMENT ONCE AGAIN SPEAKING WITH A FORKED TOUNGE?

b. BECAUSE OF THE PRESSURES FROM THE NEARBY URBAN AREAS, A NUMBER OF OUR PEOPLE HAVE HAD TO LEAVE THE VILLAGE TO FIND EMPLOYMENT AND LEARN TO LIVE IN A CASH ECONOMY. THERE IS LITTLE INCENTIVE FOR OUR VILLAGES TO BUILD AN ECONOMIC BASE, BECAUSE UNDER CURRENT STATE REGULATIONS, IF A VILLAGE BECOMES ECONOMICLY SOUND, IT MAY LOSE ITS' TRADITIONAL AND CULTURAL RIGHT FOR SUBSISTENCE HUNTING AND FISHING. NO CONSIDERATION IS GIVEN TO PHYSICAL AND PHYSIOLOGICAL DEPENDENCY OUR PEOPLE HAVE FOR THEIR NATIVE FOODS. IT IS THE OLD STORY OF WESTERN CULTURE "IF YOU HAVE MONEY, BUY SOMETHING ELSE." THIS IS NOT OUR WAY.

c. THE STATE OF ALASKA PASSED LEGISLATION A FEW YEARS AGO THAT WAS INTENDED TO HELP VILLAGES THAT WANTED TO COMBAT THEIR ALCOHOL PROBLEMS. WE WERE GIVEN OPTIONS, THAT WE COULD VOTE ON. THE NATIVE VILLAGE OF DOT LAKE PETITIONED THE STATE OF ALASKA TO HOLD AN ELECTION WITHIN THE VILLAGE BOUNDRIES ON THE QUESTION AS TO IF POSSESSION OF

ALCOHOL SHOULD BE BANED WITHIN THE VILLAGE. WE WANTED THIS OPTION TO PERTAIN ONLY TO THE VILLAGE AND NOT TO THE NEAR-BY NON-NATIVE COMMUNITY. THE STATE OF ALASKA, DEPARTMENT OF ELECTIONS INFORMED THAT BECAUSE WE WERE NOT INCORPORATED AND DID NOT HAVE BOUNDRIES THAT THEY RECOGIZED, THE WHOLE AREA HAD TO VOTE ON THE PROPOSED OPTION. WE LOST. THE NON-NATIVE COMMUNITY DOES NOT HAVE AN ALCOHOL PROBLEM AND THEY ARE THE TYPE OF INDIVIDUALS THAT THINK THAT THERE ARE TOO MANY LAWS NOW. WE HAVE BOUNDRIES, LISTED WITHIN OUR VILLAGE CONSTITUTION, WHY ARE THEY NOT RECOGNIZED BY THE STATE?

B. THE NEXT THING I WOULD LIKE TO ADDRESS IS ANCSA.

1. A NUMBER OF OUR ELDERS AND OTHERS WORKED ON THIS ACT. IT WAS THEIR UNDERSTANDING AS WELL AS THE UNDERSTANDING OF OTHERS AT THE TIME, THAT THE SETTLEMENT WOULD GO TO THE VILLAGE GOVERNMENTS. THIS WOULD HAVE ALLOWED THE VILLAGE COUNCILS TO ESTABLISH PROGRAMS TO BENIFIT THEIR TRIBAL MEMBERS. IT WOULD HAVE ALSO GIVEN THE NATIVE PEOPLE AND THE TRIBES A LAND BASE. OUR PEOPLE HAVE ALWAYS HAD VERY STRONG TIES TO THE LAND AND TO THEM, IT GAVE LIFE. THE FEDERAL GOVERNMENT, IN ITS GREAT WISDOM AND KNOWLEDGE OF NATIVE LIFESTYLES, TRADITIONS, CULTURE AND VALUES, REQUIRED THAT CORPORATIONS BE FORMED UNDER ALASKA STATE LAW PRIOR TO ANY LAND OR CASH BEING TRANSFERED. BEING VERY KNOWLEDGEABLE OF TRADITIONS AND CULTURE, AND THE HISTORY OF NATIVES ALWAYS SHARING, THE GOVERNMENT EVEN REQUIRED THAT THESE CORPORATIONS SHARE THEIR PROFITS WITH ONE ANOTHER (SEC. 7i) (HAS THE FEDERAL GOVERNMENT EVER REQUIRED A STATE TO FORM A PRIVATE CORPORATION FOR ITS CITIZENS BEFORE TRANSFERING FEDERAL LAND TO STATE CONTROL?)

2. INSTEAD OF IMPROVING THE TRADITIONAL BELIEF OF SHARING, ANCSA HAS HAD THE OPPOSIT EFFECT. VILLAGES HAVE BECOME DIVIDED OVER LAND MATTERS. CORPORATIONS HAVE OBJECTED TO NATIVE ALLOTMENTS WITHIN THEIR BOUNDRIES. BECAUSE OF LIBILITY LAWS AND THE THREAT OF LOSING THE

LAND, CORPORATIONS HAVE BECOME VERY PROTECTIVE OF IT. A NUMBER OF CORPORATIONS WILL NOT EVEN ALLOW THEIR OWN SHAREHOLDERS TO USE THE LAND WITHOUT PAYING A FEE, BECAUSE THEY FEAR LAWSUITS FROM OTHER SHAREHOLDERS IF THEY DO NOT OBTAIN FAIR MARKET VALUE FOR THE USE OF THEIR ASSETS. OWNERSHIP OF LAND UNDER THE LAW IS NOT THE SAME AS MUTUAL RESPECT FOR ONES RIGHT TO USE THE LAND AND ITS RESOURCES. IN THE TRADITIONAL WAY, A FAMILY OR INDIVIDUAL WOULD UTILIZE A SECTION OF LAND FOR HUNTING, FISHING, TRAPPING ETC. THEY WOULD FARM THE RESOURCES TO INSURE THAT THESE RESOURCES WERE AVAILABLE WHEN NEEDED. THESE LANDS AND RIGHTS WERE RESPECTED BY OTHERS AND NO ONE WOULD ATTEMPT TO HUNT, FISH OR TRAP UNLESS INVITED TO DO SO.

3. EVER SINCE THE PASSAGE OF ANCSA, A NUMBER OF AGENCIES AND INDIVIDUALS FAIL TO REALIZE THAT THE CORPORATIONS AND THE VILLAGE COUNCILS ARE DIFFERENT ENTITIES. THE VILLAGE COUNCILS ARE THE GOVERNING BODY OF THE VILLAGE AND THE CORPORATIONS OWN THE LAND AND HAVE THE CASH. FEDERAL AGENCIES ADD TO THIS CONFUSSION BY GROUPING THE VILLAGE COUNCILS, THE VILLAGE CORPORATIONS AND THE REGIONAL CORPORATIONS INTO ONE GROUP IN REFERENCE TO A NUMBER OF PROGRAMS AND LISTINGS. IS THIS JUST ANOTHER ATTEMPT TO TAKE THE TRIBAL STATUS AWAY FROM THE VILLAGES?

4. ANCSA ONLY ADDRESSED THOSE ALASKA NATIVES THAT WERE BORN BEFORE 1971. BECAUSE OF THIS, MANY PEOPLE AND SOME AGENCIES VIEW NATIVES BORN AFTER 1971 AS BEING NON-NATIVE. THESE CHILDERN ARE TRIBAL MEMBERS AND ARE ENTITLED TO ALL RIGHTS AS SUCH. EVEN THE 1991 AMENDMENTS DID NOT SOLVE THIS PROBLEM. IT LEFT IT UP TO THE CORPORATIONS AND THE SHAREHOLDERS. MANY QUESTIONS ARE STILL LEFT UNANSWERED.

5. THE LANDS TRANSFERED UNDER ANCSA TO THESE CORPORATIONS, WERE NOT TRANSFERED FREE AND CLEAR. THEY WERE TRANSFERED, SUBJECT TO VALID EXISTING RIGHTS. MANY CORPORATIONS HAVE EXPENDED LARGE AMOUNTS OF

THEIR SETTLEMENT MONEY IN ATTEMPTS TO RETAIN THE LAND THAT WAS "GIVEN TO THEM". BATTLES BETWEEN CORPORATIONS AND THE STATE OF ALASKA AS WELL AS BETWEEN THE CORPORATIONS AND INDIVIDUALS MAY WELL CONTINUE UNTIL SOME OF THE CORPORATIONS RUN OUT OF MONEY OR JUST GIVE UP.

6. MANY OF OUR PEOPLE FEEL THAT ANCSA WAS DESIGNED TO FAIL. THE WHOLE CORPORATE STRUCTURE IS ALIAN TO THE NATIVE PEOPLE, AND THEIR WAY OF LIFE. ANCSA HAS TURNED INTO THE LAWYERS, THE AUDITORS AND THE CONSULTANTS RETIREMENT FUND. THE SERVICES OF THESE PROFESSIONALS WILL CONTINUE, RIGHT DOWN TO THE LAST CORPORATE DOLLAR.

C. THESE ARE SOME OF THE THINGS THAT ARE NEEDED NOW:

1. THE OFFICIAL TRIBAL STATUS OF NATIVE VILLAGES IN ALASKA MUST BE RECOGONIZED BY BOTH THE FEDERAL AND THE STATE GOVERNMENTS.

2. THE STATE OF ALASKA MUST PUT OUR VILLAGE GOVERNMENTS ON THE SAME LEVEL WITH AS GOVERNMENTS ORGANIZED UNDER STATE LAW.

a. SERVICES AND ASSISTENCE PROGRAMS MADE AVAILABLE TO CITIES WITHIN ALASKA, MUST ALSO BE MADE AVAILABLE TO OUR VILLAGES ON AN EQUAL BASIS.

b. OUR VILLAGE BOUNDRIES, AS ESTABLISHED BY THE VILLAGE MUST BE RECOGONIZED BY THE STATE OF ALASKA.

3. OUR TRIBAL GOVERNMENTS, JUST LIKE ANY OTHER GOVERNMENT, MUST HAVE A LAND BASE. A SIMPLE METHOD TO TRANSFER LANDS FROM THE CORPORATE STATUS TO THE VILLAGE COUNCILS MUST BE DEVELOPED. THE ORIGINAL LAUNAGE IN THE 1991 AMENDMENTS ALLOWED FOR THE TRANSFER OF LANDS. THE CORPORATIONS AND THE LARGE ORGANIZATIONS THAT REPRESENTED THEM WERE SO INTERESTED IN OBTAINING PROTECTIONS FOR THE CORPORATIONS UNDER THE 1991 AMENDMENTS, THAT THEY ALLOWED THE LAUNAGE WHICH WOULD HAVE PROVIDED FOR LAND TRANSFERS, TO BE DROPED FROM THE FINAL BILL, ALL THE TIME CLAIMING TO REPRESENT THE INTEREST OF THE NATIVE PEOPLE OF ALASKA. THE VILLAGES, WITH NO ASSETS OF THEIR OWN, COULD NOT STAND UP AND FIGHT THESE ORGANIZATIONS. ONCE AGAIN THE VILLAGE CONCERNS

WERE BRUSHED ASIDE IN FAVOR OF THE CORPORATIONS. IF THE LANDS WERE TURNED OVER TO THE VILLAGE COUNCILS, THEY COULD FUNCTION AS THEY WERE MENT TO AND PROVIDE FOR THE WELFARE OF THEIR TRIBAL MEMBERS.

D. WITH THE RETURN OF THE LAND TO THE TRIBE, THE RECOGNIZATION OF TRIBES IN ALASKA, EQUAL STATUS WITH OTHER AMERICAN INDIAN TRIBES, EQUAL CONSIDERATION WITH INCORPORATED ENITITES WITHIN THE STATE, THE NATIVE PEOPLE OF ALASKA CAN ONCE AGAIN HOLD THEIR HEADS HIGH, HAVE PRIDE AND STAND TALL. THEY WILL NO LONGER BE 2ND CLASS CITIZENS NOR WILL THEY BE A DIVIDED PEOPLE.

E. YOU ASK HOW THE NATIVE PEOPLES OF ALASKA CAN BE HELPED. GIVE THEM BACK THEIR LAND AND THEIR PRIDE. LISTEN TO THEM ON ISSUES THAT CONCERN THEM. DO NOT ASK LARGE PROFIT CORPORATIONS WHAT IS BEST FOR THE NATIVE PEOPLES. REMEMBER THE NATIVE PEOPLE OF ALASKA NEVER VOTED FOR ANCSA OR THE OTHER LEGISLATION THAT WAS PASSED TO "HELP THEM". DO NOT REFER TO US AS ALASKAN NATIVE GROUPS OR ALASKAN NATIVE COMMUNITIES. WE ARE, ALWAYS HAVE BEEN AND ALWAYS WILL BE NATIVE VILLAGES AND NATIVE TRIBES. NO MATTER WHAT EFFORT IS PUT FORTH TO TAKE THESE THINGS AWAY FROM US.

THANK YOU FOR TAKING THE TIME TO READ THIS STATEMENT

DOT LAKE VILLAGE COUNCIL
BOX 272
DOT LAKE, ALASKA, 99737

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PREPARED STATEMENT OF ANTHONY VASKA

Senator Inouye, Members of the Committee on Indian Affairs, thank you for the opportunity of testifying before you about the conditions of Alaska Natives in Alaska. I will concentrate my remarks in the areas of employment and training in Alaska; more specifically, about the JTPA programs that are administered by the Alaska Native Organizations. I realize that there are many other equally important issues about the state of Alaska Natives, but those who have expertise in their specialities will give you testimony better than I can hope to do so.

My name is Anthony Vaska and I am here representing the twelve regional Non-profit organizations which operate JTPA programs within the state of Alaska. The total amount of money provided to the grantees is about $2.2 million among the twelve regions. As has been provided to the committee, the last completely reported year, 1987, the statistics show that the Alaska Native Organizations served 1,330 Alaska Native participants, 1,122 of whom were terminated from the programs; 739 completed their training and entered employment of one type or another, and 383 went on to other training or successfully completed their intended training activities. The job placement rate for all Alaska Native grantees was 61%.

The kinds of training provided by the grantees included basic and remedial education, skill training, on-the-job training and work experience opportunities.

Additionally, the grantees provide for summer youth training for young people between the ages of 14 and 21.

In their Pulitzer Prize articles, the Anchorage Daily News in January 1988 said:

> Across the state more and more Alaska Natives are killing themselves and damaging their loved ones, deciding that life's no longer worth cherishing. Almost always, alcohol is their final companion.

This quote is the same on used in the beginning of "The AFN Report on the Status of Alaska Natives: A Call for Action." While the "Call for Action" by the Alaska Federation of Natives, Inc. paints a mor than grim picture of Alaska Natives in many social and economic areas, and the AFN, Inc. proposes some actions, too little is suggested in real terms for Native people in the immediate future to break the cycle of devestating poverty and illness both psychological and physical. The AFN, Inc. report is correct in saying that there have been large gains within the Alaska Native population over the past fifty years in bringing up to par the lives of Native people through better medicines and cures for such diseases as tuberculosis and influenza. However, is you look at the health crisis areas of suicide, homocide, accidental death and injury, crime and incarceration, and children in peril, then the numbers of Native people directly affected are staggering even to the imagination.

One area of trying to curb this crisis state that I am currently involved with is jobs training and education. In the case of the Jobs Training Partnership Act (JTPA), there have been some successes that are worth talking about. While I can talk about the more than 1,300 participants we serve on a yearly basis, it surly does not come close to meeting all the needs of Alaska's Native people on training and employment. We in the field of jobs training keep in mind that we are contributing to the welfare of Native people despite some institutional constraints found in the regulations governing the JTPA programs. In addition to the JTPA programs, most Alaska Native Organizations are also taking full advatage of the Job

Opportunities and Basic Skills (JOBS) training funds available through the passage of the Family Support Act of 1988. Due to the fact that the regulatory and program implementation of this program are still in the infancy stage, I will concentrate on the JTPA program. I would like to add at this point though, the reason the Alaska Native Organizations applied directly to the Secretary of Health and Human Services to implement the JOBS program is because we are experienced in providing training and employment services to Alaska Native people; and we would like to continue to exercise this opportunity of self-determination.

At the present time there are several proposals coming before the Congress which are addressing the JTPA programs. While none directly addresses the Indian and Native American grantees, history shows that when such changes occur, there is a ripple effect that comes over to the Native programs. This gives us reason enough to address the larger issues of the JTPA law and the regulations that the Department of Labor promulgates. For instance, while there is an Indian desk in DOL, there are few Indians, and probably no Alaskan Natives or Native Hawaiians on the staff, who are intimately familiar with Indian Country issues, problems, and avenues for possible solutions. While there may have been an Advisory Committee to work with DOL for state and counties, there has only been an advisory committee proposed for the Indian programs. This, despite the fact, that the existing law requires consulting in good faith with Tribes. It only seems in order that Congress should hear directly from Indians for providing services to Indians, or better yet, for using real self-determination to address issues and problems in Indian Country, this public hearing is an excellent example of going into Indian Country to consult with tribes and tribal people.

Let me address Senator Simon's bill S. 543, which seems the one most likely to make changes in the JTPA law. The change of the youth title seems to be in the right line by making the youth program a year-round program. This would help our organizations plan better for the whole year to specifically serve those "youth" between 16 and 24 years old. While we favor this change, there is an unintended impact that should be addressed: Currently, there is a set-aside for Tribes in the amount equal to 3.3% of the II-A funding. With the proposed change of reducing Title II-A funding by 40% to add to a new Title II-B, the set-aside cut in Title IV, the Indian Title, the funding cut would also amount to 40%. I doubt that Congress intends to cut the Indian and Native American youth funding by 40%. If that is the case, I suggest that appropriate changes be made to avoid this cut by continuing the current relationship between the Indian Title IV and Summer Youth Programs. The formula in S.543 would have to be amended clearly for Indian set-aside, and the funding level set at approximately 3% to achieve the similar set-aside presently being used.

Additionally, the "Fair Chance" section in the Youth title should also include a set-aside for Native programs. This set-aside funding process used by Congress is an adequate method for continuing the government to government relationship between the Federal government and the Tribes.

While we can show some good results coming from the JTPA programs, there are some problems which should be addressed by Congress. Congress intended that the law should be run in such a way as to meet the goals of Indian Tribes and Alaska Native and Hawaiian Organizations. The law says that policies for the programs should be developed in consultation with Indian Tribes and Organizations. Unfortunately, this Congressional intent is only loosely being followed. Some examples of this are the performance standards set by Labor in regard to the real economic conditions of Native people. Some of these standards ignore the most serious needs of Native workers.

For instance, it takes more than the standard of limited funding to adequately train a high school drop-out with limited basic skills training and education; yet, one of the more stringent performance standards we face as trainers is cost per participant. I assure you, there are other problems with the existing performance standards as they affect Native programs. The classic one is the entered employment rate. If what we tell you is true in Indian Country that there are few jobs or opportunities for creating jobs, then the performance standard to place Native people in jobs is stressful for both the service provider and the participant. Nevertheless, the statisics show that we have placed 61% of program participants in jobs.

Finally, the last performance standard is positive termination rate. While most of the grantees across the nation meet this standard, it is increasingly difficult to constantly tell Native people that simply finishing a training or education program is positive, most are interested in real jobs that are long-term, and satisfying for their well-being.

If you have not already heard the many grim statistics and desperate needs of the Alaska Natives, then you probably will throughout this hearing. The JTPA programs offer some solution to helping alleviate these problems through training and education to build self-sustaining economic and social lives with services provided directly by Native Organizations with Native people. We ask that this self-determination effort not be hand-cuffed with bureaucratic shackles in what sometimes seems like internment cycles of grave risks and declining economic opportunities. While the AFN, Inc. report gives broad suggestions of new policies and government priorities, we in the training and employment field offer these recommendations first, to improve on that Congress intended for jobs training for Native people, and second, to further promote another Congressional intent, self-determination by Native people to jointly work for the betterment of Native people, and ultimately, the nation. After all, the JTPA law's principal prupose states that Indian and Native American programs "shall be administered in such a manner as to maximize the Federal commitment to support growth and development as determined by representatives of the (Indian and Native American) communities and groups served by this section." (401).

Thank you for the opportunity to testify before you regarding on aspect of the Alaska Native Communities. Thank you for coming to Alaska to hear our voices of concern and appeal. While we make appeals to you to work with us, your being here is a start that should continue into the future. Again, thank you.

LEGISLATIVE RECOMMENDATIONS for

IMPROVING INDIAN and NATIVE AMERICAN JTPA PROGRAMS

We urge Congress to:

Strengthen the language currently in Section 401(e) of the Job Training Partnership Act (JTPA) to require the Labor Department to establish a special Indian office which would have full responsibility and authority for all aspects of Indian and Native American programs.

Because:

There are at least eight separate staff units in the Employment and Training Administration (ETA) at the Labor Department that exercise major policy, grantmaking or oversight functions over Indian job training programs, plus two that are outside ETA. There is no central authority or accountability over the Department's handling of Indian programs. Indian JTPA grantees are told to do different things at different times by different staff people in different DOL units.

This lack of accountability and fragmentation of authority wastes federal money and forces grantees to spend their time dealing with conflicting administrative demands instead of improving their services to unemployed Indian workers.

We urge Congress to:

Strengthen the language currently in Section 401(e) of JTPA to require Indian preference in employment in positions, including policy positions, dealing directly with Indian programs.

Because:

For over 15 years DOL has been required by law to employ staff with "particular competence" in Indian employment and training programs in the administration of such programs. The Department currently has 5 Indian people employed in the approximately 24 positions in its "Indian" Division. Four of the 5 are in relatively entry level jobs. None has any policy responsibility of any type. The many other offices that deal with Indian programs have no Indian staff at all.

This means that no one in a policy position at DOL has any experience in how Indian programs operate at the tribal or off-reservation Indian organization level. The result is policy which fails to take into account how Indian tribal governments or other Indian organizations function.

We urge Congress to:

Strengthen Section 401(h)(1) of JTPA to require a meaningful consultation process in the development of all policies affecting Indian programs, including an Advisory Committee selected by and directly accountable to Indian grantees.

Because:

Labor has repeatedly ignored or violated the consultation requirement in the JTPA law. The Department has appointed and abolished advisory groups as it sees fit. It has consistently rejected or ignored recommendations made by grantees. Although it promised to appoint a new, more structured advisory committee almost a year ago, it has yet to appoint any members to it. There is no assurance that, if it does appoint members to this body, they will represent grantees.

The lack of a real consultation process has meant that serious problems in the program, such as the impact of the performance standards system on services to participants and the monitoring process, never get addressed or resolved.

The lack of any accountability to grantees has also meant that paperwork problems have run out of control. For example, the set of instructions for preparing the 1989 grant application was almost an inch thick, weighed nearly two pounds and was very hard to understand.

We urge Congress to:

Protect and enlarge the special Indian funding formulas now contained in Title IV and in the Title II-B youth program. Congress should also set a fixed minimum level, below which the funding amounts cannot go.

Because:

Indian unemployment remains at catastrophic levels. According to a study of the Indian labor force recently published by the Bureau of Indian Affairs, the jobless rate in reservation areas averages nearly 50% of the available work force. Unemployment is an equally serious problem for Indian workers in off-reservation areas.

Despite this need, funding for Indian job training services has been cut almost every year for the last ten years. In inflation-adjusted dollars, funds for the basic Indian training program in Title IV of JTPA has been cut 40% from the level of the comparable program in the year before JTPA started. Since 1981 funding for all Indian employment and training programs handled by DOL has been cut almost 75%.

We urge Congress to:

Expand services to Indian youth by allowing Indian grantees who currently receive direct funding under Title II-B to operate these programs during both the summer and the school year and by providing for Indian participation in any new youth program initiatives.

Because:

The Indian population is the youngest of any racial group in the United States. Many Indian young people live in areas where education and training opportunities are limited and jobs are scarce. Special attention to their needs is urgently needed now.

We urge Congress to:

Encourage the Department of Labor and other Departments and agencies administering Indian programs to enable tribal governments and other grantees to integrate all their human resource development programs, operating them under a single set of federal administrative and programmatic requirements.

Because:

The Congress has set self-determination as the central goal of the federal government's relationship toward Indian organizations. This principle was strengthened in the amendments to the Indian Self-Determination and Education Act adopted by the last Congress and signed into law by the President (PL 93-638, amended by PL 100-472).

DOL insistence on its own systems and policies prevents tribal governments and other grantees from integrating their job training services with other resources directed to grantee-determined development goals.

PREPARED STATEMENT OF BEVERLY HUGO

I am Beverly Hugo Health Education Specialist and by profession a Certified Physician Assistant from Barrow, Alaska.

My Son John

What future does my son John have?

Born on March 7, 1989 at the Fairbanks Memorial Hospital of Inupiat Eskimo descent to Patrick and Beverly Hugo of Barrow, Alaska. Youngest of four children. John is two months old. The more I learn about things that are affecting us now and how we may be affected in the future, the more concerned I become, not only for our children but for all - this concern for all is where our Inupiat responsibility comes in.

What role do we as Inupiat parents have in making decisions that affect our children's lives?

The areas of health, education, economics, environment. The management or direction taken in these areas impacts directly on as individuals and as a society.

As wife, mother and highly prepared professional health care provider, my concerns and frustrations for the well being of my son John and all indigenous children is equalled only by my self determination to be involved to whatever extent possible in the decision making that affects us presently and in the future.

Difficulties Faced

Health

John had a good beginning because of my own background as a health care provider and because. I value the importance of prenatal care. Although specialized health care services were not readily available in my community, my husband, children and I sacrifice time, effort and money. We did the necessary travel numerous times to access these specialized obstetric services; for which we are still paying for. My roundtrip airfare from Barrow to Fairbanks is $514.00. In my efforts to serve as a role model, how can I possibly reach beyond acute care services to a model of preventative health care, to use the knowledge I gained while earning my license as a Certified Physician Assistant. This continued and I learned dependency on hospital based service encourages a belief in sickness rather than wellness.

Current status continues as daily crisis management. There is not proper health care planning with short and long term goals that have been developed with participation of knowledgeable indigenous people who would like to be involved but are kept out by a paternalistic structure.

So what are the future expectations for John and the other indigenous children that were born after the Alaska Native Claims Settlement Act? What assurance is there that Indian Health Service eligibility criteria will be maintained so John and the other indigenous children will have access to health services? I have registered my other children in a federally recognized tribe, the Native Village of Barrow. I hope that this is the proper procedure. Although, I don't know who is certifying or acknowledging their registration, I have encouraged my Inupiat members to be sure and register their children born after the passage of ANCSA anyway.

Education

Presently our elementary education, Kindergarten through sixth grade seems to be adequate. However, we seem to lose the potentiality of most of our indigenous students in the Jr. High, seventh through eighth grades and High School, Ninth through twelfth in the educational system. The Anglos within our educational system seem to benefit most from it. The seventh through eighth grades periods are such formative and crucial years. This is the time to try to built up good study habits, good attitude and their self-identity. Presently the seventh through eighth graders are in house with the ninth through twelfth graders, so they haven't had the opportunity to find their self identity or build up good study habits or attitudes. They are bombarded to grow up overnight, the pressures these students go through is immense, its hard enough going through regular adolescence. I would like to submit another paper concerning Jr. High dilemma in Barrow High, for its topic that profoundly affected my family and I don't trust myself on being objective.

As for higher education, this is the level we seem to have now. We have too few indigenous people successfully completing health professional careers. Where should we be now or need to be in the future? We need to increase the number of indigenous people's access and successfully completing health professional training, thus stabilizing health care in rural Alaska. How will we get there? Plan, here is something to do. Example:

1) Alaska Bridge Program - University of Alaska Fairbanks. It is a five weeks pilot program to provided a supportive and academically stimulating transitional environment through which interested adult health career students can improve academic skills and assess their own readiness for university studies. The Alaska Bridge program is designed specifically to help student develop the urban adaptation skills and academic competency in math, science, oral and written communication and study skills needed for success in a demanding school to become a Physician Assistant. A secondary goal of the program is to enhance an understanding of the Alaska statewide health care system and the physician assistant role within this system. Rural Alaska Health Education Center provided the seed money. It was not refunded and why was it not refunded? Education is a slow process. The intent is to expand through Health Careers Opportunity Planning (HCOP) Grant, but the grant was denied, why?? These are the types of things we need to help us help ourselves.

2) Health Careers Opportunity Planning (HCOP) Grant proposal from University of Alaska Fairbanks, College of Rural Alaska - To support the development and operation of Alaska Rural Health Career Preparatory Program was denied.

Duration: three years,
Amount requested: $419,582
Dates: September 1, 1989 - August 30, 1992
Submitted by: Cheryl Roussain

This project will increase the number of Native Alaskans successfully completing health profession training thus stabilizing health care in rural Alaska. Health care in rural Alaska is provided by out-of-state health professional whose rapid turnover has resulted in inconsistent health care. This program will provide locally trained Alaskans who are culturally knowledgeable, are fluent in the Native languages, can serve as positive role models are likely to remain in the region. This is a proposal that I and many indigenous students have provided this input over the years to Cheryl Roussain and Dr. Philip Nice who have jointly compile it in a proposal form, I strongly urge you and Senate Select Committee on Indian Affairs to provide funding for this so we can one again help us help ourselves.

Economics

Economics is an integral part of theat which leads to the development of a productive and independent person.

What is John's Economic Future?

Presently there aren't enough jobs now for people who are unskilled and uneducated. No education and no jobs mean welfare medicaid, which is no answer to becoming a self sufficient individual. If there aren't enough jobs now, and individual's self worth decreases, alcohol and drug abuse and domestic violence and suicide occur.

What economic opportunity will John have 18 years from now??

Environment

Consider environmental concerns for my son John and other indigenous children. Currently an indigenous man is serving a jail sentence imposed upon him for exercising his aboriginal rights in trying to provide sustenance for his family and community according to the values of our Inupiat culture. These recognized values are respect for nature, hunter's success, sharing, cooperation, respect for elders, love for children, hardwork, domestic skills, family roles, humor, responsibility to the tribe and spirituality. How could these values be wrong? They are the essence of our spiritual survival and well being in a harmonious environment. When this harmony is disrupted by a paternalistic outside forces, this threatens to destroy the very heart of our existence. How can my son, John and the other indigenous children grow up to be a successful hunter and provider so that his life expresses the values of his culture??

The frustration felt in trying to find the right words to express without appearing jealous, malicious and racially bias, this is my life as an Inupiat, responsible to all other Inupiat for the survival of our cultural spirit, our values and our traditions with my people I retain, teach and live the Inupiat way.

What can I as an individual do to make thing's better? It is necessary that the Inupiat values be defaced or disregarded by our so called well intentional health providers or educators??

Years ago, it was a landmark to become five years old. Now it is a landmark to survive through adolescence to young adulthood. This is the time of alcohol and drug abuse and domestic violence and suicide. Why is it and what have we created that offers suicide at the only alternative to life? They see no hope. The answers lie within us as parents and members of our community - when young people have needs that reach beyond the family unit.

What do we as a community have to offer? What is the responsibility of the community to youth and what and how does a young person contribute to his community?

This presentation is not statistically focused. We know all too well that statistics are numbers with the tears removed, but for those of us who experience the lifestyle as it is today, statistics represent tears spent because the numbers are people we know and love and care for - I am afraid for my son John and all the indigenous children, but what can I do? I am not alone in my fears. There must be hope and along with that hope, we need realistic appraisals of what or where we are now and what direction our future will take. What are our expectations??

It is my intention with this time spent with the members of the U. S. Senate Select Committee on Indian Affairs to convey the fears and frustrations felt on a personal level so that there is an understanding of how it is for us. It is effort to convey these things because it means I take the risk for revealing myself and my feelings to you from a personal and professional perspective.

Wording has been very thoughtfully selected to try to avoid the appearance of racial biases and prejudice. For it is not my intent to harm others as I have experienced because I know too well how it feels to try to work and live in such an atmosphere.

I accepted the personal and professional risk of making myself vulnerable and open to you today. Do you realize how many years it has taken to be able to face you today to let these things be heard? Along with the risk, I openly accept the responsibility to communicate with others who are actively involved in decision making affecting the self-determination of each of us. For those who remain passive and have not come to the point of verbalizing the concerns I have just expressed, let us remember them too, as we work to develop leadership. There is a difference between arriving at the point of expressing concerns in ways which others understand yet mistakably have assumed on one cares about themselves because it is not culturally expressed in the same way. How can anyone be so far gone as to not care about themselves and others? When a harmonious environment has been vital for centuries for our very existence, we have proved this structure to be effective. Yet when confronted by outside people who do not share our value system, we are thrown into conflict not only with that other entity but also with one another and within ourselves. We are strong caring people. We are survivors but it has taken it's toll. So where are the answers to how to make things better for my son John and other indigenous children, for we can no longer continue to lose our young people, for they are our future.

We have always accepted our responsibility for ourselves and others. We have survived for thousands of years and intend to continue to do so. Why should we relinquish control of our destiny to others who don't even begin to appreciate or understand how rich and beautiful our Inupiat heritage is?

PREPARED STATEMENT OF VIRGINIA M. KVASNIKOFF

Response to AFN Report

What's happening to a proud people? Some are dying, some are living. Weigh the statistics that those that are surveying, but according to statistics we are doomed. But look around you, we are not-not all of us were raised by alcoholics. We were raised by hard working, God fearing people. The "638" amendment was passed for Native people to take control of their lives. Look around, some have successfully done and some haven't, but are still trying.

The Native students of Alaska are 75% below national average in academic skills. But village schools have fewer drop outs than urban areas. Arriving at this percentages is some what of a mystery. Is it absenteeism, in competent teachers, language barriers, parenting skills, standards native community different that the white community, or a combination of all? If we are falling short what can be done to remedy this problem?

Students in Alaska are our leaders of tomorrow. Think of yourself in their shoes, they've gone to school for twelve years. He or she thinking of a bright future planning to go further in school for knowledge and training. Then they find they are not able to do so unless they go to school to make up for what he was supposed to learn in the first place.

This is a bad situation, then he reads the paper or watches the news and finds out young people are taking their lives, this is another cause for depression.

The media plays on all the bad things that happen in the world. Why couldn't they write a story about some of the good things that are happening to our native communities? A lot of our native people are doing quite well. We have native leaders prominent in our government, the are respected and very influential.

We also set standards in the village the standard are one thing which is acceptable there. Yet in an urban setting he told it to be wrong. Then try to change to the urban standard. Isn't there a medium where it's all right to accept some from both standards? Can't we compromise? The ways of village life is also changing due to influx of western world ways then TV and population movement causing restrictions on hunting and fishing which provided most of the diet of the village people. Now people are developing diabetes and other diseases due to the changes in habits. The subsistence life style not only provides the diet, but exercise and the rituals involved with hunting and fishing which the whole family and village take part in also was time consuming. So due to the loss of these things, diet is changing and a lot of leisure time.

It's ironic that the things that were introduced by the western culture-alcohol and drugs-a lot was to gain lands and furs and seal oil, also the sugar was introduced to the culture. They are the same things that are killing us now. So now they're trying to teach us to abstain from these same things they introduced to our way of life.

We are concerned about parenting skills for children some of our parents are children themselves. Where do you start teaching these skills to a child? Help from elders and then some of the old ways aren't acceptable now. The advertisements and pictures in magazines and books or on TV always show a healthy happy baby. In real life babies cry and keep you up nights and require a lot of care and time which in a young persons life their essential social life is very hard to give up. Also separations and divorces are common. Everyone is looking for a happily ever after, to me it is nothing comes easy. Anyone can get separated or divorced but it takes a lot of hard work and giving to stay together. Our families are suffering due to alcohol and drugs and violence.

We are in trouble with our families and all these things are issues of concerns. We need help. Where does it come from within or without. I think we need the combination of both.

I thank you Honorable Senator Inouye for listening to my testimony.

Virginia M. Kvasnikoff
Vice President
Ninilchik Village Traditional Council

PREPARED STATEMENT OF LYDIA BLACK

My name is Lydia Black. I am an anthropologist with almost 14 years of Alaskan experience. I published widely on Aleut culture, history, and art. I am also an immigrant who had to balance two cultures.

I wish to go on record that for Native peoples of Alaska, the knowledge of their roots is essential, of existential importance, as it is for all peoples. Moreover, it is imperative that this knowledge is transmitted to the younger generations in such a manner as to foster pride and a feeling of self-worth. Only then will the young people be able to function in the larger societal context of the United States. Participation in the overarching culture will cease to be perceived as threatening the psychological security and as hostile to the natives. Cultural heritage must form a central component in educational discipline.

I urge the U.S. Congress to support cultural heritage.

Shishmaref
Native Corporation
SNC
General Delivery
Shishmaref, Alaska 99772
Telephone 907/649-3751

WRITTEN TESTIMONY
May 27th Hearing on the Status of the Alaska Natives
from
SHISHMAREF NATIVE CORPORATION

Shishmaref is located on the Northern shores of Seward Peninsula, on a small barrier island one-half mile wide and four miles long, seven miles from the nearest point on the mainland.

The population of Shishmaref is mainly Inupiat Eskimo, presently numbering 450.

Historically, the Inupiat of this area settled along the Northern shores in smaller group with Shishmaref as its primary base mainly living off the mammals of the Chukchi Sea. The Chukchi Sea provided food, clothing, shelter, boats, and other items which the Inupiat used for their own use or to trade with other villages for items not found in the area.

Many changes began around the turn of the century with the introduction of another larger culture. However, prior to 1971, the economy based on the sea mammals, was still in place and provided for the Inupiat who by now had settled on Sarichef Island.

In 1971, the U.S. Congress passed an Act, known as the Sea Mammal Act of 1971. This act was no doubt passed with good intentions as there was a lack of information on the sea mammals and many species were then thought to be near extinction.

The Act did recognize the special relationship of the Inupiat and other Native Groups to the ocean mammals and made allowances and so they were allowed to hunt the sea mammals. However, a number of restrictions were made, the heaviest being on trade; only traditional finished products could be sold or traded. By manipulating the market size, the government clearly thought that these species would be saved from extinction. The Act did accomplish one thing: It effectively took away the livelihood of the Shishmaref people.

With its residents no longer allowed to sell the only natural resources offered by this harsh environment of the Northern Seward Peninsula, the economy of Shishmaref disappeared. In one stroke, the Act took away the livelihood of this once promising settlement. The future of Shishmaref and its residents was made very bleak and dark, as no alternative was developed to replace this economy. Legislative powers of a country that had somehow gained jurisdiction over this isolated part of the world did not attempt to replace this injustice. They had legislated to the Inuit of this Northern Coast.

WRITTEN TESTIMONY
MAY 27TH HEARING
PAGE TWO

The sea mammals in question are not near extinction by any means of measurement. Studies have been made and are being made but the fact remains that the polar bear and seal are not in danger of extinction. During the years of hunts by American guides, using aircraft, the polar bear was probably in danger but the population of that specie has recovered to a healthy number on this coast. The residents of Shishmaref who have elected us to serve as the Board of Directors for the Shishmaref Native Corporation, feel that the Act was overly and wrongly restrictive. For instance, ivory carving talents by artists of this area are well known but not every hunter is blessed with this talent. Many hunters do not have wives who can make garments with furs.— Mainly, because they are widowed. As skilled professionals, they are no longer able to provide for themselves as do other professionals in this world. Also, by restricting the market size to Alaska and the United States, the Act forces Shishmaref to depend heavily on their respective economies; if Alaska's economy, based on oil, stays stagnant then demand for sea mammal products will also stay stagnant.

We offer several suggestions which we feel can improve the lives and futures for the people we represent:

1. Allow the sale of unfinished sea mammal products. With reasonable guidelines, we feel a workable solution could be negotiated. The resources are here, the world market is in place, and the resources could be managed to insure their replenishment.

2. Allow the Shishmaref people and other affected people to guide hunts on a limited scale. We belive many people in this world would like the opportunity to hunt with the Inupiat who are expert in surviving in this unique setting; and again, we believe it could be accomplished in a reasonable manner.

3. If it looks impossible to change the Act, the U.S. Government should take quick action to remedy the situation that they have caused. Other resources must be found and those resources developed if the economic base is to be replaced.

The Sea Mammal Act can be amended so that the negative impact on our culture and economy can be minimized. It is our hope that our request will be taken seriously. The Inupiat of Shishmaref offer these suggestions seriously. The future of our culture and our village depends on the U.S. Congress and we hope wisdom and common sense will prevail.

Respectfully Submitted,

Johnson P. Eningowuk, President

Percy Nayokpuk, Treasurer

I. C. E.

Indigenous Conservators of the Environment

501 W. International Airport Road, Ste. 34-36
Anchorage, Alaska 99518
(907) 563-4777
Fax (907) 563-7277

TESTIMONY FROM I.C.E.

FOR THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS

THE HONORABLE SENATOR DANIEL K. INOUYE, CHAIRMAN, PRESIDING

The Indigenous Conservators of the Environment (I.C.E.) was formed to represent the Alaska Native concerns on the environment we have so long relied upon. I.C.E. is a non-profit, tribal, tax-exempt, environmental organization the purpose of which is to preserve, protect, and enhance marine life and to promote Alaska Natives rights and interests in environmental issues and other issues of importance to the Native community. I.C.E. also works to provide information, education, and training to Alaska Natives in relation to their environment. We also encourage Alaska Natives to exchange information and ideas that contribute towards improved management of marine mammals and other environmental issues.

I.C.E.'s current focus is "Save Our Sea otters" (S.O.S.). The United States Fish and Wildlife Service recently entered into an agreement with the Indigenous Conservators of the Environment (I.C.E.) that enables Alaskan Natives to receive training in sea otter handling and clean-up procedures. "This cooperative volunteer program will enable the Service to establish volunteer emergency response teams trained in all phases of handling sea otters, not only for our ongoing efforts, but also for future quick response should another spill occur," states the U.S.F.W.S. Regional Director Walt Stieglitz. "Perhaps most importantly these Alaska Natives who live close to the sea otter habitat, would be immediately available."

T.A. Gornall, III, DMV (Commissioned by the Presidential Marine Mammals Commission) stated, "As a result of the Exxon Valdez oil spill 10,000 to 20,000 sea otters have died and the number is rising daily. We are seeing just the first ripple of the effects of the oil spill on Marine Mammals. This will go on for years. It is a global disaster." Information given to our office is that the Marine Mammal Rescue Effort may be phasing out because Exxon believes that the sea otter emergency has passed. Presently the Seward Sea Otter Center is filled to capacity with 85 oiled otters and the rescue and capture effort at sea has shut down 4 to 5 days a week because the Seward Center cannot handle any more otters. There were 7 boats operating at the peak of the rescue operation and as of May 23, 1989 one of the boats is being retired, it's capture gear is to be stored. If the need arises this gear can be put back into use.

S. O. S.
SAVE OUR SEA OTTERS
P.O. Box 240707
Anchorage, Alaska 99524
SEND YOUR TAX - DEDUCTIBLE DONATIONS TODAY!

The oil spill is currently engulfing an area larger than the state of Massachusetts and 6 capture boats are not enough to handle the immense area in which oil-contaminated otters are found. To believe that otters are no longer in danger and to phase out the operation is going completely against the intent of the Congressional Mandate of the Marine Mammals Protection Act of 1972, as amended in 1988.

I.C.E. has sea otter capturers journals that show otters caught in nets have had to be released because the United States Fish and Wildlife Service relayed radio messages to the sea otter capture boats to "CATCH NO MORE OTTERS" due to overcrowding of the one sea otter cleaning center. Tosha Galaktionoff, I.C.E.'s first trainee sent out after the May 1 agreement was reached with the U.S. Fish & Wildlife Service, was given the command to catch no more sea otters for 3 days while she watched otters swimming in oiled areas in Kenai Fiords National Park. This command was given in response to the Valdez Otter Centers viral epidemic scare, when that center was being closed down and the Seward Otter Center had not been given the authorization or monies to become operational. Those I.C.E. spoke with at the Seward Otter Center have stated that Exxon will not allow more than one Otter Cleaning Center to operate at one time. It is obvious that utilizing only one center for cleaning operations limits the success of the overall rescue effort resulting in more dead otters.

Currently, the oil spill is heavily impacting the Kodiak area and the Alaska Peninsula, including Cook Inlet, where over 20,000 more Sea Otters are in peril. These otters are not dying from the acute stages of oil contamination as of now, but are instead dying from the chronic affects of eating toxic seafoods, which causes internal damage beyond repair of these mammals livers and kidneys, a slow, painful death follows. An example of this became evident two weeks ago when a mother sea otter and her pup were captured. They were lightly oiled, yet the mother died soon after capture. Upon biopsy the veterinarians found the liver and kidneys of the mother were the consistency of mush, not the way a healthy organ should appear. The third phase of toxicity in mammals is the sub-lethal phase, this includes deformity of the off-spring. Pups born of oil contaminated mothers may suffer severe mutations which will ultimately lead to their death. The pups may also not be able to bond with their mothers because the oil impairs their smell, sight, and respiratory senses. These are just the beginning signs of the ongoing damage to our otter population. The otters in Prince William Sound may well soon be declared depleted, or in the worst case scenario, endangered. To allow the operation Sea Otter Rescue to slow down, or to discontinue, for public relations reasons, or any other reasons, is irresponsible, inhumane, and illegal.

In October, 1988 the United States Fish & Wildlife Service implemented a new regulation concerning the tagging, sealing, and reporting of any sea otters killed or found along Alaska's coastline. Any Alaska Native must report this finding within 30 days. If a Native does not report any dead sea otter to the U.S. Fish & Wildlife Service, the actions taken against them may be most severe. There is a $10,000 fine and possible time in prison for non-compliance for each instance.

The question has been brought up by Alaska Natives concerning this tagging procedure and the penalties involved (which are clearly spelled out in 50 CFR Part 18) as to why the oil companies do not have to comply with the new regulation? If Alaska Natives were to have gone out and killed 10,000 to 20,000 sea otters we feel that we would have had to pay the penalty. How then, can the government expect us to respect said law? "Law without compliance undermines the entire legal system, leading to disrespect and disregard for the law", (Interagency Artic Research Policy Committee, National Science Foundations report #87-55; recommendations) Examples of this failure to report, tag, and seal are as follows:

1. reports of VECO employees and others scuttling dead sea otters that have been brought in in garbage bags (to look like oiled rags) throwing the carcasses overboard on the way into port.
2. nightly burial and/or burning of sea otters on secluded islands.
3. case histories of boat captains fears of being fined for picking up dead sea otters and refusing to allow crewman with dead sea otters in hand to bring the carcasses aboard and ordering the crew to throw the carcasses overboard.
4. otter catchers being told to release oiled otters caught in capture nets because of overcrowding in the Seward Sea Otter Cleaning Center. Three of those released were so oiled they immediately sank and drowned. (see Sea Otter Capturer journal attachment)

We received word on May 23, 1989 that the Seward Otter Center would possibly be shutting down in one (1) month. On Friday morning 26 May 1989, one of the otter catcher boats called the I.C.E. office with news of the latest otter information from Cape Douglas to Geographic Bay on the Alaska Peninsula. The boat is the F/V Wayward, Captain Mack (the skipper of the vessel) has taken a video of sea otters by the hundreds swimming in oil, many with their pups. Yesterday dead otters were being reported from Raspberry Straits (on the Northwest end of Kodiak Island) and all along the west side of Kodiak Island and also along the majority of the Alaska Peninsula daily. Over 1500 otters have been spotted in one bay that is impacted by oil. The otters swim in rafts (or groups) of 200-300. These otters are in extreme danger. Some of the mothers are carrying their pups with them, the pups are stressed out and many of them look like a dead rag. Otters have been spotted by our handlers shivering on the haul-out rocks and beaches, sure signs of oil contamination, yet they were told they could only capture one otter due to overcrowding at the Seward Cleaning Center. (Captain Mack has a letter from Jim Styers instructing them not to capture any more otters due to this overcrowding.) The otters are still pupping but the rocks that they haul-out on are completely covered with oil. The danger that the otters are in right now is real. The shore clean-up crews are not even considering cleaning these otter habitats that the sea otters use as haul-out grounds and to pup on. The U.S. Fish and Wildlife Service stated that it was trying to save at least 15% of the sea otter population that has been impacted by the oil spill and the 1/2% (or less) that is currently being retrieved falls far short of the targeted 15%. The current effort is completely unacceptable.

Otters are showing up dead everywhere most likely from the second phase of oil contamination, eating food that is toxic and dying 20-30 days later from the accumulation killing their livers and kidneys. The public relations effort that has been in effect by Exxon almost since day one of the oil spill is still ongoing to this day. The F/V Wayward is the only authorized otter catcher boat that is in the area hardest hit by the oil in the Alaska Peninsula has been commanded to return to Seward at the direction of Jim Styers, Exxon superintendent of the Seward Sea Otter Rescue Center. The captain of the Wayward informed I.C.E. that Exxon offered him a contract to film otters not in oil. The captain turned this offer down. He turned in his film taken two weeks ago of the otters in oil to Jim Styers. He feels the reason he is being decommission-ed is that he turned down the contract to film otters not in the oil. Exxon has had a policy of not allowing those hired by them to speak out about what the truth is, this policy is also ongoing to this day.

Fish and Wildlife agent Jay Ballinger, in charge of the Kodiak Refuge Station, flew out to the Wayward May 23, 1989 and took two otter catchers off the boat and replaced them with two VECO employees (non-native), their only boat experience was on a barge in Prudhoe Bay, one immediately returned to Kodiak because he found out he would be required to stay on the boat for at least one month, non-stop and he had been told that he would be rotated on a weekly basis. The captain felt that these two inexperienced VECO personnel would place themselves and his boat in peril because of their lack of seamanship and skiff handling abilities and knowledge of sea otters. The captain of the Wayward was pleased with the I.C.E. otter catchers sent out by us. He had agreed to take on more Native personnel but when U.S. Fish and Wildlife agent Jay Ballinger flew out with the two non-native VECO replacements and the captain of the vessel asked why these replacements weren't Natives, Jay Ballinger (U.S.F.W.S.)

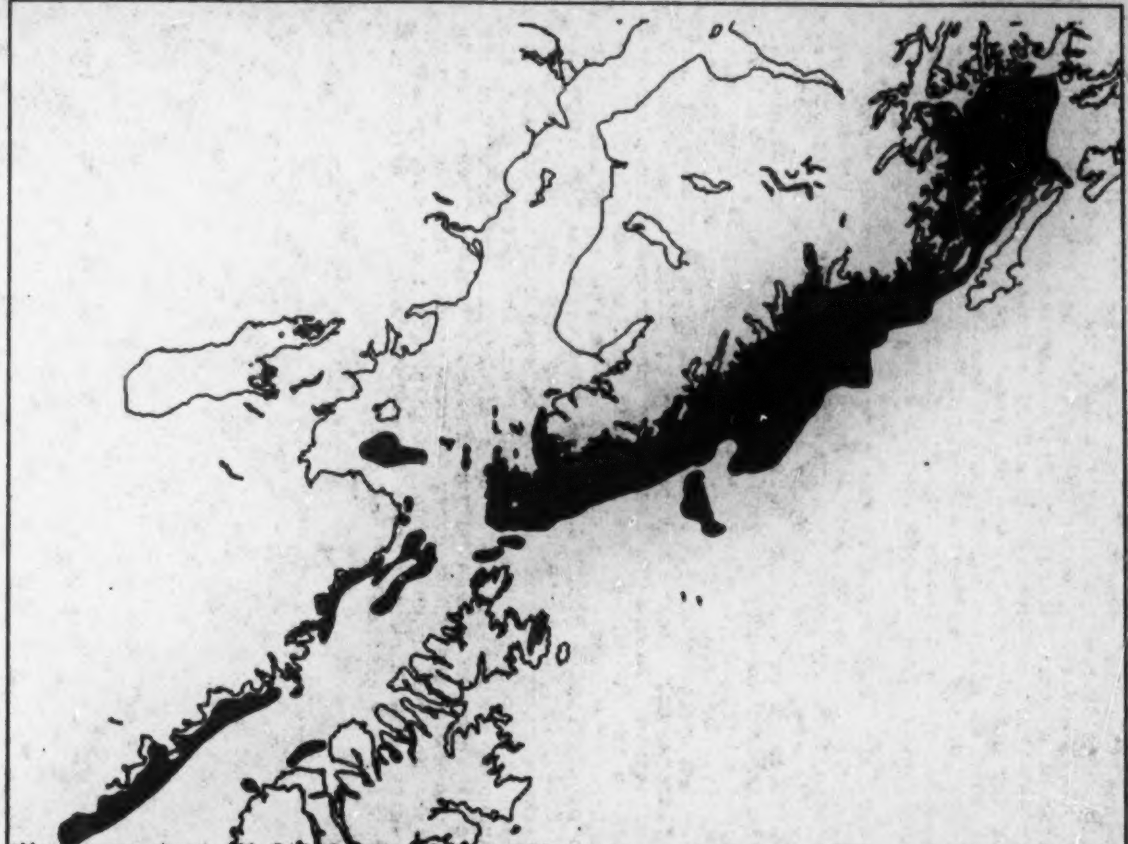
replied, "Forget about Native personnel for awhile." A directive like this goes completely against the agreement I.C.E. has reached with the U.S.F.W.S. and also goes against the Marine Mammals Protection Act. How can we have an Emergency Response Team made up of Alaska Natives living on the coast immediately prepared to respond and deploy in the event of another oil spill if these miscommunications and bad directives continue?

I.C.E.'s goal is to have an Emergency Response Team trained in all phases of rescuing and saving sea otters and other marine mammals. We have worked in agreement and coordination with the U.S.F.W.S. to successfully train twelve (12) sea otter catchers in this first phase of capturing live otters at sea. The next phase of mammal rescue is the cleaning stage which now is done only in Seward. This center is currently understaffed due to the lack of housing in Seward. In order to fulfill our agreement with Fish and Wildlife and to have our Emergency Response Team trained before this whole "Operation Sea Otter Rescue" effort is closed down it is imperative that Alaska Natives receive a priority placement. Presently most of those working at the Seward Center are from Outside of Alaska. On March 13, 1989 I.C.E. went to Seward with a contingency of 14 volunteers eager to train in the cleaning phase. I.C.E. paid their way down, made arrangement for their living and eating while training and stood-by for over 50 hours waiting at the gates to get trained. As we waited at the gates, we were continually passed over by non-natives coming in from Anchorage and the Lower 48. We spoke with Tammi Thomas, the volunteer coordinator, about why our people were not being placed to train instead we were put continually at the back of the line. We talked to people from Delaware, New Jersey, and California that were placed ahead of our volunteers. I.C.E. feels that it is most imperative that Alaska Natives be trained before non-natives and those from Outside are allowed to train. We feel that it is a priority issue and that non-natives and those from outside must be bumped if necessary, so that Alaska Natives can have an Emergency Response Team fully trained in all phases.

Since our March 13 encounter at the Seward Center, I.C.E. has been involved on a daily basis to secure housing for our Alaska Native volunteers. We have written myriads of letters to differing Federal agencies and possible Seward housing placements. We were told time and again that there was no housing. On March 26 we were told by Tammi Thomas that there had been made available twenty (20) spots for housing volunteers. Tammi Thomas allocated these spots to non-native volunteers. Some of these spots were to go to Alaska Native volunteers from I.C.E. The way this is going Alaska Natives will not have an Emergency Response Team.

We ask that The Senate Select Committee on Indian Affairs help identify how I.C.E. may tap into the 311-K funds through the Clean Water Act, which we are told that Fish and Wildlife along with other Federal and State agencies are charging back for all their employees and related expenses. We need to pay our sea otter catchers, who daily put their life on the line the same as all the others out at sea who are being paid by various groups. We feel strongly that our Alaska Natives not be put into a category of pay discrimination for jobs of equal integrity as others who are being paid.

I.C.E. also requests that our time and expenses be repaid to us. As of this date, May 26, 1989, I.C.E. has received no funding from any sources. The office supplies and space has been donated to us (on a pay back basis as funding becomes available to us). Alaska Natives cannot afford to volunteer, like those coming up on vacation from the lower 48. We live here, always have, always will. Our money is spent here totally. We have families, children, rent, and mortgages same as everyone else except for the fact that many of our villagers have lost a total way of life, in regards to subsistance. Alaska Natives have the highest unemployment rate in the State, we have not been readily accepted into the cash-based economy. In the cities, many times we find that we cannot find a job. Some feel that we should be happy on welfare, but this is not an acceptable way of life for Alaska's first people. We must be paid for our efforts in being prepared for this oil spill and the next one when it happens. We feel that I.C.E.'s efforts in the forefront of pressing for an Alaska Native Emergency Response Team should be laudable and that every effort should be made to pay Alaska Natives in this effort. Thank-you for allowing us to testify. And thank-you again for helping us in our efforts to identify any available funding.



*Maximum extent of Oil Slick as manually interpreted from ADEC maps for the period from March [illegible] 1989.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1011 E. TUDOR RD.
ANCHORAGE, ALASKA 99503

REPLY REFER TO: DIS/0050B

APR 28 1989

Fred Bahr and Tosha Galaktionoff
Indigenous Conservators of the Environment (ICE)
241 W. 5th Ave.
Anchorage, Alaska 99501

Dear Fred and Tosha:

Your letter to Keith Rayhs of my staff dated April 25, 1989, sought confirmation of the U.S. Fish and Wildlife Service's willingness to provide support in the form of training and technical assistance to your organization's efforts to assist in the rescue of sea otters.

The purpose of this letter is to provide you with the requested confirmation of intent. However, this will initially involve limited numbers of Natives and will, of necessity, require one-to-one hands-on training techniques.

In regard to the current oil spill, there is an important point I must emphasize. This is still Exxon's spill, not a federal spill. This means that Exxon is financially responsible. It therefore follows that there will be no significant cash flow from the Service to your organization or to your people. The most expedient vehicle for involving your people is to have them sign up as volunteers with the Service. This allows us to legally provide them with essential support as a part of our work force.

You can best assist us at this time by identifying a small cadre of potential volunteers who are skilled in working from boats in a safe manner, experienced in working in Alaskan field conditions, and knowledgeable of the behavior of sea otters. It would be advantageous if these first volunteers also possessed the personal characteristics to become good instructors.

In conclusion, we welcome your initiative in seeking a substantive working relationship that will provide a vehicle for improving our readiness to respond to a tragedy such as we have just incurred.

Sincerely,

Walter O. Stieglitz

Regional Director

U.S. FISH & WILDLIFE SERVICE
ALASKA

1011 E. TUDOR RD.
ANCHORAGE, ALASKA
99503

FOR IMMEDIATE RELEASE
Bruce Batten 786-3487
Fred Bahr (ICE) 563-4777

US FISH & WILDLIFE SERVICE, ALASKA NATIVES JOIN FORCES IN SEA OTTER RESCUE

The U.S. Fish and Wildlife Service and a private, non-profit Alaska Native conservation group are combining forces under a volunteer program to assist with sea otter rescue and care efforts.

The Service recently entered into an agreement with the Indigenous Conservators of the Environment (ICE) that enables Alaskan Natives to receive training in sea otter handling and clean up procedures, and to join as volunteers in the Service's sea otter rescue efforts.

"This cooperative volunteer program will enable the Service to establish volunteer emergency response teams trained in all phases of handling sea otters, not only for our ongoing efforts, but also for future quick response should another spill occur," the Service's Alaska Regional Director Walt Stieglitz said. "Perhaps most importantly, these Alaska Natives, who live close to the sea otter habitat, would be immediately available."

At the present time, volunteers from ICE are already working on Service capture boats operating in the waters off the Kenai Peninsula. Plans are being made to accommodate up to 20 more volunteers at the Seward sea otter facility, where they can be trained in otter care and rehabilitation as well.

ICE is a non-profit environmental organization that deals with issues and activities of Alaska Natives relating to marine mammals and provisions of the Marine Mammal Protection Act. The organization will provide Alaska Natives for training who possess boat handling abilities and knowledge of the Alaska environment, including the habitat and behaviour of sea otters.

(more)

INDIGENOUS CONSERVATORS OF THE ENVIRONMENT

PREAMBLE

ALIZING THAT:

we Alaska Natives, are an indigenous people, with a unique ancestry, culture, and homeland;

the coastline of Alaska which we use and occupy transcend political boundaries;

due to our historical inheritance and use and occupancy of our homeland we enjoy cultural rights unique to indigenous peoples and share common traditions, values, and concerns;

the Alaska Coastline and its resources are of critical importance to the Alaska Native community;

renewable and non-renewable resources are essential to the present state and future development of Alaska Native communities;

international and national policies and practices should give due consideration to protection for the artic and sub-artic coastlines of Alaska, to it's environment and to the preservation and evolution of Alaska Native culture and societies;

our right to self-determination must be confirmed and Alaska Natives participation in policies and activities affecting our homeland assured;

the Marine Mammals Protection Act of 1972, 16 U.S.C. 81371 (b); Exemptions for Alaskan natives also gives the right and responsibility to preserve, protect, and enhance the marine environment;

THEREFORE:

A FORMAL CHARTER FOR THE INDIGENOUS CONSERVATORS OF THE ENVIRONMENT IS NECESSARY IN ORDER TO CONTINUE THE ENDEAVOURS INITIATED BY THE ORGANIZATIONAL MEETING TO IMPLEMENT ITS RESOLUTIONS AND WE, THE INDIGENOUS CONSERVATORS OF THE ENVIRONMENT, HEREBY ACCEPT AND AGREE TO THIS CHARTER, THE PROVISIONS OF WHICH ARE SET FORTH BELOW.

I.C.E.

INDIGENOUS CONSERVATORS OF THE ENVIRONMENT

CHARTER AND
BYLAWS

ARTICLE 1. OFFICIAL NAME

THE INDIGENOUS CONSERVATORS OF THE ENVIRONMENT (I.C.E.) is the official name.

ARTICLE 2. PURPOSES

A.) Indigenous Conservators of the Environment (I.C.E.) is formed as a non-profit. No part of the assets or net earnings of this corporation shall be distributed to or shall inure to the benefit of any member, officer or director; provided, however, that payment of reasonable compensation for services rendered and expenses incurred may be made.

B.) to promote Alaska Natives and other indigenous peoples rights and interests in environmental and other issues of importance to the Native community;

C.) to promote short-term and long-term management to preserve, protect, and enhance the artic and sub-artic (Alaska Coastline) wildlife, icluding but not limited to marine mammals, the environment and biological productivity;

D.) to promote wise management and use of non-renewable resources along Alaskas coastline, throughout the Interior, and to any lands of historical value to aboriginal people, also including renewable resources;

E.) to provide information, education and training to Alaska Natives and other interested parties;

F.) to promote the coastal Alaska Native communities in reviewing and commenting on regulatory changes or resource development which may affect coastal wildlife (e.g., Coastal Zone Management programs, outer continental shelf development, etc.);

G.) to promote the conservation, and well-being of marine mammals by Alaska Natives

H.) to encourage Alaska Natives and other indigenous peoples to cooperate in exchanging information that contributes toward improved management of marine mammals and the environment;

I.) to otherwise act so as to carry out the purposes of this Charter.

ARTICLE 3. CAPITAL STOCK

I.C.E. has and shall have, no Capital Stock.

ARTICLE 4. MEMBERS

Section 1. Membership. I.C.E. shall consist of Member Alaska Natives and is open to all indigenous peoples who accept the goals and objectives contained in the present Charter.

Section 2. Initial Members. Initial members shall be Alaska Natives who founded and participated in the first I.C.E. organizational meeting held in Anchorage, Alaska on April 26, 1989.

Section 3. Observator Status. Observer status may be permitted non-members at the approval of individual Officers.

Section 4. Voting. Each member attending a general membership meeting shall have one vote.

Section 5. Proxies. There shall be no proxies.

ARTICLE 5. OFFICERS

Section 1. Executive Officers of I.C.E. shall be President, Vice-President, and Secretary/Treasurer. Officers shall be elected by a majority vote of the membership.

Section 2. LENGTH OF OFFICE. Each office shall have a term of one year.

Section 3. The vacancy of an office due to death, resignation, withdrawal from I.C.E., removal from office by the voting membership, or for any other reason, shall be temporarily filled by appointment by the remaining Executive Officers until the next scheduled meeting of the membership. At that time the temporary appointment (s) shall be replaced by election of new officer (s).

Section 4. REMOVAL FROM OFFICE. Officers may be removed from office for good cause by two-thirds vote of a quorum of membership held in accordance with Article 6.

Section 5. POWERS OF OFFICERS.
A. The President shall have the following powers:
1. to call and preside at all meetings of I.C.E. or the Executive committee;
2. to speak on behalf of I.C.E. and the Executive Committee;
3. to authorize public statements of I.C.E.
4. to sign documents on behalf of I.C.E.; and
5. to perform other duties of the office as prescribed by I.C.E. or the Executive Committee from time to time.

B. The Vice-President shall have the following powers and duties:
1. In the absence of the President or in the event of his or her inability or refusal to act, the Vice-President shall perform the duties of the President; and
2. to perform other duties as prescribed by the President or the Executive Committee from time to time.

ARTICLE 5. Section 5. (cont'd.)

C. The Secretary/Treasurer shall have the following powers and duties:
   1. to oversee the keeping of the minutes for all meetings of I.C.E. and the Executive Committee; and
   2. to attest to the action of I.C.E. and the Executive Committee; an
   3. to maintain a current membership record for I.C.E.; and
   4. shall be responsible for reeiving and accounting for all funds that are received by I.C.E. and shall perform such other duties a may be assigned, from time to time, by the President, Vice-President, or the Executive Committee.

ARTICLE 6. MEETINGS

Section 1. Meetings shall be called by the President at times and places as necessary. In general, meetings shall be preceeded by no less than 30 days advance notification. In case of an emergency, the President may call an Executive Committee meeting to act on behalf of I.C.E. in accordance with Article 7.

Section 2. A quorum for meetings shall require the presence of at least 30% of the qualified membership. A majority vote of the membership presen at the meeting shall be required for I.C.E. action.

Section 3. ELECTRONIC MEETINGS. Electronic meetings such as teleconferences or devices available to conduct business is permissable and carries the same validity as in Section 1 of Article 6.

ARTICLE 7. EXECUTIVE COMMITTEES

Section 1. The Executive Committee shall consist of the Officers of I.C.E.

Section 2. POWERS. The Executive Committee shall have the power to act on matters that can not be brought before the whole membership meetings of I.C.E. because of lack of time or funding. A majority of the members of the Executive Committee shal be required for Committee action. On urgent matters the Executive Committee shall have the power to act by teleconference or by telephone poll. A majority vote of the Executive Committee shall be required for committee action to occur. Before the Committee may take action on the basis of a telephone conference or poll a attempt must be made by the Committee to contact each Committee member. At the next regularly scheduled meeting of the Committee, the Executive Committee shall present the minutes from any Executive Committee meeting held since the last I.C.E. meeting.

ARTICLE 8. LONGEVITY

Section 1. I.C.E. shall have perpetual existance.

ARTICLE 9. SOVEREIGN IMMUNITY

Section 1. I.C.E. shall have sovereign immunity unless waived by it; and

Section 2. The powers of I.C.E. shall be unlimited.

ARTICLE 9. (cont'd.)

Section 3. The geographical area of activity shall be unlimited; and

Section 4. I.C.E. shall employ as many indigenous people as possible; and

Section 3. I.C.E. shall have the authority to obtain the services of attorneys and other legal experts; and

Section 6. I.C.E. may seek any grants or funding sources for the purpose of furthering its goals and objectives; and

Section 7. I.C.E. shall not in any way obligate Tribal Management Consultants unless there is express written consent from Tribal Management Consultants; and

Section 8. I.C.E. actions shall be under the jurisdiction of the Chickaloon Native Community Tribal Court; and

Section 9. I.C.E. shall adhere to all applicable Federal Laws, Statutes, or Acts.

ARTICLE 10. ADOPTION AND AMENDMENT

Section 1. AMENDMENTS. Amendments to these by-laws shall be effective when adopted by a vote of the majority of the general membership at a membership meeting provided the officers received prior notice that the proposed amendments would be considered as an agenda item. Notice of the meeting must be mailed at least 30 days prior to the meeting at which the amendments are proposed and a copy of the proposed amendments must be included. Any waiver of notice must be made in writning by each officer at or before the scheduled meeting.

Section 2. ADOPTION. The general membership shall adopt by-laws to implement and make more specific the provisions of this Charter. All by-laws must be consistent with the Articles of this Charter.

ARTICLE 11. RATIFICATION

We hereby certify that the foregoing Charter and By-Laws of the Indigenous Conservators of the Environment (I.C.E.) were adopted at a duly convened meeting of I.C.E. at which a quorum was present this 26th day of April, 1989, by a majority vote.

Fred Bahr

Fred Bahr, President

Jess Lanman

Jess Lanman, Vice-President

ATTESTED BY:

Toshe Galaktionoff

Tosha Galaktionoff, Se Treasurer

APRIL 26, 1989

I.C.E.

INDIGENOUS CONSERVATORS OF THE ENVIRONMENT

ANCHORAGE, ALASKA

MINUTES

ORGANIZATIONAL MEETING

Call to Order

Roll Call

Fred Bahr
Tosha Galaktionoff

A Quorum was established ✓ yes ______ no

AGENDA REVIEW/APPROVAL

MOTION MADE BY Jess Lanman SECONDED BY Tosha Galaktionoff

ACTION # (1) APPROVAL OF AGENDA

MOTION CARRIED ✓ MOTION FAILED ______

MOTION MADE BY Jess Lanman SECONDED BY Fred Bahr

ACTION # (2) CALL FOR ELECTION
FRED BAHR, Pres; JESS LANMAN, Vice-President; TOSHA GALAKTIONOFF

MOTION CARRIED ✓ MOTION FAILED ______

MOTION MADE BY Jess Lanman SECONDED BY Tosha Galaktionoff

ACTION # (3) ADOPTION OF CHARTER & BY-LAWS
As Presented/discussion; initial original charter
Jess Lanman

MOTION CARRIED ✓ MOTION FAILED ______

MOTION MADE BY Jess Lanman SECONDED BY Tosha Galaktionoff

ACTION # (4) ADOPTION OF RESOLUTION 89-01
I.C.E. ACCOUNT

MOTION CARRIED ✓ MOTION FAILED ______

MOTION MADE BY TOSHA GALAKTIONOFF SECONDED BY JESS LANMAN

ACTION # (5) To Apply for Interim Funding From the Ak. Center For the ENVIRONMENT on Ap. 26, 1989

MOTION CARRIED ✓ MOTION FAILED ____________

MOTION MADE BY FRED BAHR SECONDED BY TOSHA GALAKTIONOFF

ACTION # (6) RECOMMEND A MEMBER OF I.C.E. (interim FRED BAHR) REQUEST TO SIT ON BOARD. IN LIEU OF HIS ABSENCE A DESIGNEE TO TAKE HIS PLACE.

MOTION CARRIED ✓ MOTION FAILED ____________

MOTION MADE BY TOSHA GALAKTIONOFF, seconded by JESS LANMAN
ACTION#(7) ADJOURN / MOTION CARRIED ✓ MOTION FAILED
MEETING WAS ADJOURNED AT 10:50 [✓ A.M.] P.M., THIS 26th DAY OF APRIL, 1989.

Jess Lanman

Fred Bahr

ATTESTED BY:

Tosha Galaktionoff
Secretary/Treasurer

TRIBAL MANAGEMENT CONSULTANTS
2600 Fairbanks Street
Anchorage, Alaska 99503

RESOLUTION #89-01

INDIGENOUS CONSERVATORS OF THE ENVIRONMENT, Tribal Organization Charter, License, and Tax-Exemption

WHEREAS; Chickaloon Village is a Federally Recognized Tribe pursuant to 25 U.S.C. ET SEQ., and 26 U.S.C. 7871, as listed in Revenue Procedure 83-87; and

WHEREAS; Chickaloon Traditional Council Chartered, and Licensed Tribal Management Consultants Tribal Organization as a political subdivision, and delegated public financing authority and Tax-Exempt Status to the Tribal Management Consultants Tribal Organization, for, but not limited to, the development of Economic and Self-Determination Projects; and

WHEREAS; Jess Lanman is a recognized Tribal Member of the Chickaloon Village, and is sole owner of Tribal Management Consultants Tribal Organization; and

NOW THEREFORE BE IT RESOLVED

That Tribal Management Consultants hereby Charters, and Licenses INDIGENOUS CONSERVATORS OF THE ENVIRONMENT as a non-profit political sub-division, and delegates public financing authority and Tax-Exempt Status to the Indigenous Conservators of the Environment Tribal Organization, for but not limited to, to promote and develop the conservation, protection, and enhancement of Artic and Sub-Artic Wildlife, environment, and biological productivity.

DULY CONSIDERED AND APPROVED THIS 26th DAY OF APRIL, 1989.

Jess Lanman
Jess Lanman, President
Tribal Management Consultants

ATTESTED BY:

Fred Bahr
Fred Bahr, Vice-President
Tribal Management Consultants

I.C.E.

INDIGENOUS CONSERVATORS OF THE ENVIRONMENT

Resolution #89-01

NTITLED: A RESOLUTION AUTHORIZING THE PRESIDENT, VICE PRESIDENT, AND SECRETARY/TREASURER TO ESTABLISH A BANK ACCOUNT WITH NATIONAL BANK OF ALASKA.

HEREAS: Indigenous Conservators of the Environment is incorporated under Tribal Management Consultants (TMC), a Tribal Organization; and

HEREAS: I.C.E. has formally adopted a Charter, on April 26, 1989; and

HEREAS: I.C.E. will be provided the benefits of 25 U.S.C. ET SEQ., 26 U.S.C. 7871 ET SEQ., and all other Acts that assist in promoting our Goals and Objectives; and

HEREAS: I.C.E. has held an election of officers, whose term and title are listed as follows: Fred Bahr, President, term 1 year, Jess Lanaan, Vice-President, term 1 year, and Joyce "Tosha" Galaktionoff, Secretary/Treasurer, term 1 year; and

OW, THEREFORE, BE IT RESOLVED

that the Indigenous Conservators of the Environment (I.C.E.) hereby authorizes the President, Vice-President, and Secretary/Treasurer to establish a bank account with the Nationa Bank of Alaska; and

E IT FURTHER RESOLVED

that individual Officers of I.C.E. are authorized to sign on account # 01413937, to sign checks, drafts or other orders for and on behalf of I.C.E.

DOPTED this 26th Day of April, 1989 by the majority of Officers of the ndigenous Conservators of the Environment in Anchorage, Alaska.

Fred Bahr
Fred Bahr, President

Jess Lanaan, Vice-President

TTESTED:

Joyce "Tosha" Galaktionoff
oyce "Tosha" Galaktionoff, Secretary/Treasurer

April 25, 1989

U.S. Fish & Wildlife Service
Chief Keith Bayha
Operation Sea Otter Rescue
1011 East Tudor Road
Anchorage, Alaska 99503

Indigenous Conservators of the Environment (I.C.E.)
241 W. 5th Ave.
Anchorage, Alaska 99501
Ph: (907) 276-3688
FAX: (907) 258-6807

Dear Chief Bayha,

As per our telephone conversation on April 24, 1989, we discussed and agree on these points:

1. USFWS Regional Director Walter Stieglitz will allow only those boats operating with a trained sea otter specialist onboard to assist FWS in Operation Sea Otter Rescue.
    A. A sea otter specialist is defined as a person or people who have experience in identifying otters that have been oiled or otters who show signs that they are in stress.

2. USFWS would agree to providing training to Alaska Natives and veterinarians who have offered their services to us to help in saving sea otters, should I.C.E. be able to provide our own funding sources.

3. The Indigenous Conservators of the Environment, and all those who will be affiliated with us, employed by us, or volunteering their services to Operation Sea Otter Rescue will agree to follow ALL rules and policies of USFWS. We want to work closely with the Service, to be overlooked by the Service and to recieve training and expertise from USFWS.

4. All those trained by USFWS to identify and transport stressed or oiled sea otters to proper Clean-up facilities will bring the mammals in as they are found. Any decision as to proper care, treatment, or diagnosis will be made by veterinarians or those so identified as qualified by USFWS.

5. Another priority I.C.E. has identified, should significant funding come in, is to assist FWS in setting up cleaning facilities and providing the necessary manpower to those proper facilities (including emergency first-aid stations) under the direction and supervision of USFWS.
    A. These facilities could also be used as excellent training stations to qualify Alaska Natives and volunteers in the USFWS current, ongoing effort and as an emergency response team qualified for any future events of this nature.

Page 2
USFWS-ICE Agreement

Indigenous Conservators of the Environment is forming as a non-profit environmental firm whose emphasis will be on marine mammals as listed in the Marine Mammals Protection Act of 1971, as amended in 1988. We look forward to beginning a friendly, close working-relationship with USFWS and other Federal agencies for the preservation and protection of our marine mammals. We are ready immediately to sit with your organization to further define USFWS rules, regulations, and ideas for training Alaska Natives and others to qualify them to help in saving the sea otter of those impacted areas. We welcome your ideas and input as to this effort.

Respectfully yours,

Fred Bahr
Fred Bahr

Tosha Galaktionoff
Tosha Galaktionoff

Recieved by:

Keith Bayha
USFWS Chief Keith Bayha

Confirmed this _____ day of April, 1989

U.S. Fish & Wildlife Service

Fred Bahr

Tosha Galaktionoff

INUIT CIRCUMPOLAR CONFERENCE

April 26, 1989

Fred Bahr
President
Indigenous Conservators of the Environment
2600 Fairbanks Street
Anchorage, Alaska 99503

Dear Mr. Bahr:

Thank you for providing our office with ICE's proposal regarding the Sea Otter Rescue Operation. I have quickly reviewed the proposal and relevant documents and feel that it merits the support of all concerned parties.

The Inuit Circumpolar Conference has had a long-standing concern about the potential adverse impact of tanker use in the transport of oil and gas in arctic and sub-arctic regions. Enclosed please find a copy of our recent press release on the Exxon Valdez oil spill. We have been especially concerned about the environmental impact that such transport can have on our lands and waters, and in particular, the fish and marine mammals that have sustained our communities. Native people are now, unfortunately, realizing those negative environmental impacts and they must be an integral part of the response.

Your proposal "to provide immediate management support and direction to minimize the economic and ecological damage", which will directly involve Native people from the region, is a useful and positive call to action that should be embraced by all those concerned about the environmental damage resulting from the Exxon Valdez oil spill.

We fully support the proposal and hope that the appropriate funding is provided to put the plan into effect immediately. The reasons for our support are too numerous to list. We do know that it will be Native people who will suffer the greatest consequences of this recent disaster and feel that any and all efforts to involve them in the response is critical. Good luck in your effort.

Sincerely,

Dalee Sambo

Dalee Sambo
Special Assistant - Alaska Office

SIERRA CLUB
Alaska Chapter

April 27, 1989

Walter Stieglitz, Regional Director
US Fish and Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Mr. Stieglitz:

The Alaska Chapter of the Sierra Club urges the US Fish and Wildlife Service to utilize fully trained and supervised volunteers in the Sea Otter Rescue Effort in Prince William Sound, Seward/Kenai Fjords, Homer, and other affected areas.

Alaska Natives and other citizens have offered their services to the rescue operation, but few have been hired. As a largely sea-based culture which historically subsistence harvested sea otters, the Native people in the areas affected by the oil spill have experience with and special knowledge about sea otters. The success rate for rescue could be enhanced by including such talented and knowledgeable volunteers in the workforce.

It is essential that any volunteer rescue activities be directly supervised, that workers are properly trained, that proper safeguards are in place, and that the otters themselves are protected from undue stress and risk.

The Alaska Chapter of the Sierra Club is dismayed over the slow pace with which wildlife rescue centers are being established. As the oil moves farther from Prince William Sound, the fully equipped rescue center in Valdez is too far away and too small to effectively provide rescue and cleaning services for the entire area affected by the oil spill. The first aid and holding facilities presently in Seward, Homer, and Kodiak are inadequate. Fully equipped and staffed wildlife rescue centers in these locations would better serve the wide-ranging rescue operation and the threatened wildlife populations.

The Alaska Chapter of the Sierra Club hopes that trained and supervised Alaska Natives and other volunteers can be incorporated into the Sea Otter Rescue Effort as soon as possible, because the oil continues to spread and wildlife continues to be oiled.

Sincerely,

Karen Brewster

Karen Brewster
Conservation Chair

cc: Fred Bahr, Indigenous Conservators for the Environment

"Not blind opposition to progress, but opposition to blind progress."

ALASKA SEA OTTER COMMISSION

Resolution #89-01

ENTITLED: A RESOLUTION REAFFIRMING THE ALASKA NATIVE PEOPLE'S RIGHT TO RECOVER, RELOCATE, ASSIST IN THE SEA OTTER RESCUE EFFORT ONGOING IN THE PRINCE WILLIAM SOUND AND FUTURE IMPACTED AREAS OF ALASKA.

WHEREAS, the Native people of Alaska have been using sea otters for subsistence and handicraft purposes for thousands of years; and

WHEREAS, the Native people of Alaska are the original conservationists and have historically managed resources in an ecologically-sound manner; and

WHEREAS, the Marine Mammal Protection Act specifically recognizes the Native people's right to harvest sea otters for subsistence and handicraft purposes; and

WHEREAS, the Alaska Sea Otter Commission's purpose is to promote Native users in the decision-making process concerning all phases of sea otter management, education, training, employment, and regulations presently in place and proposed; and

WHEREAS, the Alaska Sea Otter Commission has the power to take whatever action necessary to accomplish these purposes; and

WHEREAS, Alaska Native-owned firms desire to contract with Exxon to provide Natives jobs in the recovery and relocating, retrieving oiled or dead sea otters and other assistance as is required;

NOW, THEREFORE, BE IT RESOLVED

that the Alaska Sea Otter Commission hereby urges Exxon to begin contracting with Alaska Native-owned firms on sea otter rescue operations; and

SEA OTTER COMMISSION RESOLUTION #89-01
Page 2

BE IT FURTHER RESOLVED

that the U.S. Fish & Wildlife Service begin issuing permits to Native-owned firms, allowing them access to the sea otter rescue operation in Prince William Sound.

ADOPTED this 13th Day of April, 1989 by the members of the Alaska Sea Otter Commission in Anchorage, Alaska.

Gilbert Olsen
Gilbert Olsen, Chairman
ALASKA SEA OTTER COMMISSION

Attested:

Margaret T. Roberts
Margaret Roberts, Secretary
ALASKA SEA OTTER COMMISSION

April 3, 1989

U.S. Fish & Wildlife Service
Marine Mammals Management
Jon R. Nickles, Supervisor
1011 E. Tudor Road
Anchorage, Alaska 99503

Dear Mr. Nickles,

As per our conversation on Friday March 31, 1989 in your office, we agree on several points as follows:

1. Alaska Natives have a preferential right to hunt, harvest, & utlize sea otter, seal and sea lion under the Marine Mammal Protection Act of 1972.

2. The recent finalized ruling requiring Marking, Tagging, and sealing of sea otter for scientific study should be in cooperation with Fish & Wildlife Service.

3. Federal jurisdiction for the management and care of sea otter presently rests with Fish & Wildlife Service.

4. Presently Fish & Wildlife doesn't have the manpower available to handle the expanding emergency situation.

5. The Marine Mammals Protection Act of 1972 mandates wanton waste of sea mammals is prohibited. From §1361 of 16 U.S.C. the policy states:
(1) Certain species & population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities; (oil spill & resulting polluting of the ecosystem)
(2) such species and population stocks should not be permitted to diminish beyond th point at which they cease to be a significant functioning element in the ecosystem which they are a part, and consistent with this major objective, they should not be permitted to diminish below that optimum sustainable population. Further measures should be immediately taken to replenish any species or population stocks which has already diminished below that population. In particular, efforts should be made to protect the rookeries, mating grounds, and areas of similar significance for each species of marine mammal from the adverse effect of man's actions.

6. Alaska Natives have a preferential right to be involved with any efforts attempted at retreiving, recovering, or relocating affected Marine Mammals.

7. Skins resulting from this emergency effort should be returned to those Native communities from which they came.

8. The MMPA also has a clause that stipulates authorization of special emegency funding in order to carry out varying aspects of saving those mammals in danger. We would like that Fish & Wildlife coordinate and identify any additional funding sources that may help in the effort to save marine mammals.

Page 2

U.S.F.W.S.

9. Any action should be coordinated with local Alaska Natives of each region who possess unique local expertise and knowledge of water conditions and marine mammals habitats and habits. This expertise is essential for a quick and effective response.

In closing, we look forward to working with Fish & Wildlife and other Federal agencies in order to save, protect, or prohibit wanton waste of our marine mammals.

Sincerely yours,

Fred Bahr

Fred Bahr, Vice-President, TMC

CC: Alaska Sea Otter Commission
Chugach Alaska Native Corporation
Koniag, Inc.
Aleut Corporation
Wilderness Society
Sierra Club
Exxon
Jess Lanman, President, TMC
Tosha Galaktionoff, Sec/Tre., TMC

EP 1 3 1989

UNITED STATES GOVERNMENT

memorandum

BUREAU OF INDIAN AFFAIRS

DATE: April 10, 1989

REPLY TO ATTN OF: Fish and Wildlife Resource Specialist

SUBJECT: General Impacts Resulting from Prince William Sound Oil Spill on Native Interests

TO: Acting Director, Division of Trust Services

While it appears to be premature to make any statement regarding impact assessment, it must be noted that potential impacts regarding natural resource-related losses are enormous, both in the near and long term.

At this time, the two principal Native villages affected are Chenega Bay and Tatitlek, along with the non-rural community of Cordova which is being given a lower priority at present given the location of the spill. Tatitlek and Chenega Bay, two villages in Prince William Sound, are highly dependent upon fishing, inter-tidal gathering, and marine mammal hunting for their subsistence food supply. Traditional subsistence activities are central components of the economy and way of life for these predominantly Alaska Native communities. Cordova, a fishing community, makes significant use of fish and marine invertebrates for the community's food supply. Harvesting activities are central components of the economy and way of life for these communities. In addition, a substantial portion of their annual income derives from commercial fishing in Prince William Sound. Preliminary assessments indicate that significant quantities of oil have contacted the waters and lands used for subsistence and commercial harvests. There is concern that the wild foods used for consumption may be tainted by oil and unsafe to eat. Decreases in wild resource harvests may have serious implications for the health, economy, and social well-being of Native residents.

As a multi-agency effort to prepare proposals supporting immediate impact assessments is underway with respect to each agency's management responsibilities, it is clear that initial impact scenarios indicate the severity of the situation: Commercial fisheries such as king crab, black cod, ground fish, and herring fisheries have been shut down. More and more, spill kill is including marine mammals and local and migrating bird life, oil has effectively covered the near shore subtidal and intertidal areas with potential losses of valuable in-fauna and epi-fauna utilized by both subsistence and commercial fisheries. With respect to subsistence resource damage, impact assessment measures as they relate to Native communities should immediately include field site observation with key respondent interpretations, subsistence land use mapping, key respondent interviews, systematic household subsistence surveys, and participant observation techniques. Periodic sampling and testing of subsistence foods for possible contamination should also be performed.

In addition, cultural/social and related economic concerns appear inevitable. Not only is there keen interest in the villages regarding loss of cultural artifacts and resources, but residents are being and will continue to be subject to major social disruptions. Loss of jobs, outdoor recreation activities, and subsistence opportunities often translate into severe impacts on people. For some people, these impacts may be relatively minor, such as mild increases in depression or anxiety, or temporary losses of income. For many others, however, these impacts may be more severe, resulting in increases in drug or alcohol abuse, divorce, mental health problems, spouse or child abuse, and other related social pathologies. And, for others, the only recourse may be permanent relocation to another community. Collection of socioeconomic data will be necessary to determine the severity of long-term socioeconomic impacts resulting from the Exxon Valdez oil spill on affected human communities.

Serg

Serg Astra

Prepared by Dr. Riki Ott
CORDOVA DISTRICT FISHERMAN UNITED

OIL AND THE MARINE ENVIRONMENT

In Alaska last year, a barrel of oil was selling for the same price as a six pound Copper River sockeye. In fact, during the early spring run on the Flats, fishermen were getting $2.65 a pound or about $16 apiece for premium quality reds at the same time as oil was selling for around $10 a barrel.

The oil industry and the fishing industry are Alaska's two largest industries. The difference between them is that the fisheries resource is renewable; oil is not. But the fisheries stocks are renewable only so long as there is clean water, good habitat and sound public and management policies to protect this resource.

Right now, I think some of the state's salmon stocks are in jeopardy because the environmental quality of certain coastal habitats are being compromised either by inadequate enforcement of the state's Water Quality Criteria or by lack of an adequate contingency plan in the event of an oil-related accident along the coast. The reason I target on salmon is because their life cycle is intricately tied to coastal habitats, right where the probably of an oil-related accident is the highest. Here I'm talking about Bristol Bay, Cook Inlet and Prince William Sound. Let's face it: tankers aren't going to run aground in the middle of the ocean, drilling platforms are rigged on shallow continental shelves and oil terminals are built in protected coastal areas.

It amazes me that in our state, where there is so much oil-related activity and where so many people depend on our fisheries resources, that there is not a more general knowledge of the effects of oil in the marine environment. To me this would be like living near a nuclear reactor and not knowing anything about the side effects of nuclear power. Our state needs an informed public to ensure that there will be sound management policies and a concerned attitude by individuals, both of which are necessary to effectively protect the quality of the waterways and the environment.

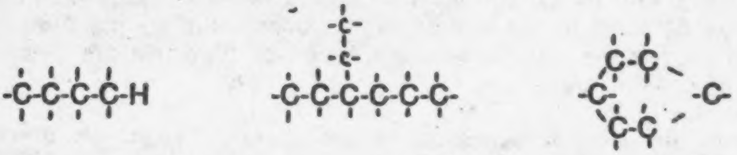
So let me answer some questions. What is crude oil? What is diesel? And gasoline? What happens when oil enters the environment? Where does it go? What does it become? How can it affect a salmon? A crab? A mussel or clam? Marine mammals? What does it mean to "enter the marine foodweb"?"

Ready?

What is crude oil? This is perhaps the most important answer to understand because the individual compounds in oil determine the oil's bulk properties: how the crude oil weathers; how it affects marine organisms; all those other questions. Crude oil is a very complex mixture of **organic (carbon-based) compounds** and **inorganic (noncarbon-based) compounds.**

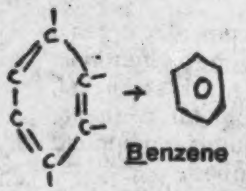
The organic compounds are called **hydrocarbons** and are composed of hydrogen and carbon. The hydrocarbons in crude oil fall into two groups or **fractions: aliphatic** and **aromatic.** Now I have some drawings here of examples of aliphatic and aromatic hydrocarbons. Let's see if you can spot the main difference between the two groups.

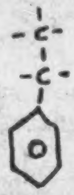
Aliphatic hydrocarbons include:

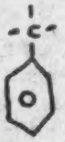


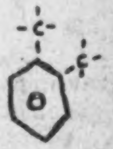
n-alkanes (straight chains), **branched** and **cyclic** hydrocarbons.

Aromatic hydrocarbons include, for example, the four hydrocarbons lumped together and called **BETX.** What do these letters stand for?





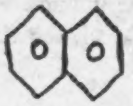




Benzene Ethylbenzene Toluene and Xylene.

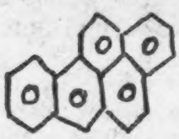
The BETX compounds are part of a group called **low molecular weight aromatics** which contain one or two benzene rings and the **alkyl-substituted homologues** (i.e. benzene rings with alkanes replacing hydrogens).

Right now you should be able to spot the main difference between aliphatic and aromatic hydrocarbons. It is the ring structure with the **resonating double bonds.** The BETX compounds all contain single benzene rings. A simple double ring structure looks like this:



This is **naphthalene** which is currently the focus of some attention as it is coming down the pipeline with the natural gas liquids.

There's another type of aromatic hydrocarbon called a **polycyclic aromatic hydrocarbon (PAH).** These compounds contain multiple benzene rings and look like chicken-wire:



These compounds are all **high molecular weight aromatics**; this one is called **benzo(a)pyrene.**

Here I would like to point out that the aromatic compounds are more toxic than the aliphatic hydrocarbons because of their structure: the low molecular weight aromatics have the highest kill rate because these are polar compounds i.e. they have high solubility constants; they dissolve. Although the low molecular weight aromatics are very toxic, the polycyclic aromatic hydrocarbons are extremely **persistent** (they are not readily broken down in the environment) and it is these compounds which cause long-term environmental damage.

OK, I am getting ahead of myself. Remember besides the organic compounds, crude oil also contains Inorganic compounds. Inorganic compounds contain trace elements and heavy metals: nickel, vanadium, sulfur and nitrogen. Prudhoe Bay crude oil, for example, contains a wide variety of the heteroaromatic sulfur compound dibenzothiophene and its alkyl-substituted homologues.

The relative amounts of these three fractions (aliphatic/aromatic hydrocarbons and inorganic compounds) vary among different crude oils. For example, Prudhoe Bay and Cook Inlet crude oils are very similar in composition and both have a higher abundance of alkyl-substituted PAH and toxic aromatic hydrocarbons, including sulfur compounds, relative to other crude oils.

OK, now I have a question and we'll see if everyone passes the chemistry portion of this lecture. If Prudhoe Bay crude oil is compared to a crude oil with a higher proportion of aliphatic compounds from, say, California, which crude oil do you think would be more toxic? Prudhoe Bay because it has more of the toxic aromatic hydrocarbons.

Ok, you guys are catching on. Now let's just take a brief aside to look at diesel and gas. Crude oil is taken south for **refining**. During refining, the crude oil is heated and the compounds (based on their different boiling points) are separated. Gas and diesel are composed primarily of different groups of **light ends** or aromatic hydrocarbons. Do you think gas and diesel are toxic? You better believe it!

With this bit of chemistry in mind, we're now ready to look at the next question: **what happens when oil enters the environment?** The oil which enters the environment comes from a number of sources: bilges or leaks from pleasure and commercial vessels; run-off from roads; spills from fuel docks; spills from tankers; spills from oil terminal or refinery activities. No matter what the source of the oil is, when oil enters the environment, it immediately starts to **weather**; that is it immediately starts being transferred into the environment.

Now the important thing to remember is spilled oil does not disappear; instead the mass of oil changes and is transferred into different compartments. Scientists say it is **partitioned** into

compartments and the compartments are the water column, the air, the sediment and the organisms. So now we have to look at the **mass transfer processes.**

Evaporation/dissolution and dispersion are the two primary mass transfer processes. These processes are hastened by physical **spreading** of the oil over the water surface because this creates a greater surface area. All these processes are influenced by temperature, sea state, wind velocity, and, as the boys in Cook Inlet found out this summer, by local currents.

Evaporation and dissolution describe molecular transfer in contrast to dispersion which describes the transfer of discrete oil droplets into the water column or water droplets into the oil due to wind/wave action and other parameters. These processes are most important during the initial stages of a spill - the first 48 hours. During the first 48 hours, the light ends (or low molecular weight aromatic hydrocarbons) evaporate leaving behind the aliphatics and higher molecular weight aromatics - the polycyclic compounds. When the light ends are transferred into the atmosphere, the oil mass remaining in the water has an increased viscosity: it's heavier, sticker stuff. The aliphatics and polycyclic aromatic hydrocarbons eventually sink down to the sediments or are washed up on shore. The aliphatics are readily broken down by bacteria or other organisms in a process called **metabolism.** The polycyclic aromatic hydrocarbons are also metabolized by bacteria and other organisms but there is a tremendous difference in rate: metabolism of polycyclic aromatic hydrocarbons is very, very slow.

At the same time that evaporation is occurring, the oil is spreading out and breaking up into droplets which, you remember, is called dispersion. If it's a little windy or wavy, the oil is going to spread out, evaporate and break-up even faster. Oil droplets can form which closely resemble the parent oil in composition: in other words, the rate of droplet formation can be faster than the rate of evaporation so some of the oil drops will contain low molecular weight aromatics. As these droplets sink or are dispersed, organisms in the water column and the sediment can be exposed to the toxic BETX fraction; the actual molecular transfer of hydrocarbons into the organisms would involve dissolution.

Now if it's really windy and wavy, water is mixed into the oil and forms a **water-in-oil emulsion or mousse.** Once the mousse forms, the other partition compartments are closed off and the oil is extremely difficult to clean-up. The oil emulsion floats away as is until it either breaks up into smaller bits and washes ashore as tar balls or worse, the entire emulsion washes ashore and basically wreaks havoc with the intertidal ecosystem - that's when the oil coats the entire beach and everything on the beach.

Now, how long does it take oil to weather? NOAA scientists in Anchorage have been studying all these mass transfer processes with Prudhoe Bay crude oil in a subarctic environment. They found that evaporation was slower at colder temperatures so the aromatic hydrocarbons remained for a longer time in the parent oil source. Oil dispersion was almost totally inhibited after as little as 6 to 9 days in both the summer and winter spills. Dissolution of the intermediate and higher molecular weight aromatic hydrocarbons was still occurring after 6 months while the lighter weight aromatics, like benzene, were mostly removed during the initial 6 to 12 days. Hydrocarbons were detected in bottom sediments as early as 13 days post spill and were still detectable 12 months later when the study was terminated. Microbial metabolism and dissolution or partitioning of aromatic hydrocarbons into the water column from the sediments was also measured over the length of the study - 1 year.

So what does this mean? It means oil spilled into a subarctic marine environment is very persistent: it tends to remain in the water where it can travel great distances and is partitioned over time into sediment and organisms. And this brings us to my next question: **how does oil enter the marine foodweb?** Well, everyone has managed the chemistry and physics part of this talk and now it's time for a little ecology and marine biology.

Let's construct an underwater marine eco-scene. There's seabirds and a marine mammal; a salmon representing pelagic fish and a halibut representing bottom fish; a crab; a clam in the sediment with it's siphon out in the water column; mussels on this rock; and a bunch of dots in the water column and in the sediment. . . Let's capture these dots in the water column and take them over here, put them under a microscope and see what we have. Now we see that these little dots are all little animals which are collectively called

zooplankton. Marine zooplankton includes representatives of virtually every group of animals, either as adults or as developmental stages. Some species, like copepods and ostracods which are tiny crustaceans, spent their whole lives in the plankton. Other species, like the young of many species of crab and fish, the barnacle cyprus and mollusc velliger, spent only part of their lives floating with the zooplankton. Now let's capture this bunch of dots down in the sediment and take a closer look at them. Here we find another group of animals called **infauna** - the animals which live within the sediment. This group is composed of tiny crustaceans with names like amphipods, copepods, mysids and cumaceans. The infauna also includes larger organisms of again virtually every major phylum of animals. There's one more part to this picture which we can't see without a very powerful microscope and that is the bacteria: bacteria everywhere - in the water and in the sediment.

OK. Now let's spill some oil onto this little eco-scene which will bring us to my next question. **How does the oil enter into the marine foodweb?** These red magnets represent hydrocarbons. As the oil starts to disperse, the droplets are immediately attacked by bacteria. As I mentioned earlier, bacteria **metabolize** the alkanes, breaking them down into smaller and smaller pieces. Bacteria also attack any of the light ends - the BETX aromatic fraction - and the polycyclic aromatic hydrocarbons which are transferred into the water column. Now I'm going to come back a little later and review what happens during metabolism of aromatic hydrocarbons, but let's continue now with the foodweb.

The zooplankton, particularly copepods, ingest oil droplets which are similar in size to their food source. Some of the aromatic hydrocarbons are stored in the bodies' **lipid or fat reserves;** others pass through their bodies with other undigested material, are packaged into **fecal pellets** and excreted. Now this may not sound like a big deal to you, all these tiny microscopic copepods munching oil droplets and excreting oily fecal pellets, but more fish and other aquatic creatures feed on copepods than on any other one kind of animal known. Copepods form the base of the pyramid of marine life because they are herbivores: they transform the microscopic plant life in the sea into food which can be utilized by larger animals. What they lack in size, they make up for by their unbelievably large numbers. Here's some marine trivia: a rough estimate of the number of copepods produced annually in 10 cubic meters of Baltic sea water is nine billion! So what I'm talking about here is a lot of oily fecal pellets; in fact scientists have estimated that this is one of the major pathways by which whole oil reaches the bottom sediments and organisms.

Well let's just follow these fecal pellets down to the bottom and see what happens to them. The pellets are immediately attacked by bacteria and the hydrocarbons are metabolized the same way as in the water column. The parent and derivative compounds along with the broken down pellets, the bacteria, decaying plant material and small sediment grains are incorporated into a new material called **detritus.** Detritus is the major food source for **benthic** (or bottom) **organisms**, especially the infauna.

Ok, now we're ready to take a look at the whole eco-scene. There are two pathways by which marine organisms take up hydrocarbons: through the water and through the diet. For example, as this salmon here is pumping water over its gills, some of the aromatic hydrocarbons may be transferred across the cell membranes into the fish. Also when this salmon feeds on contaminated zooplankton or infauna, the hydrocarbons are taken directly into the stomach where they are digested with the rest of the food. Here one or more of five things happen to the hydrocarbons:

1) the hydrocarbons pass through the fish and are eliminated;
2) the hydrocarbons are recognized as poisons and are sent to the liver for metabolism and detoxification or activation (more later);
3) the hydrocarbons are transferred to the body's lipid reserves and stored until the body draws on the lipid reserves for energy at which time the hydrocarbons are mobilized and metabolized;
4) the hydrocarbons are transferred to developing eggs (which are high in lipids) and released from the parent organism when the eggs are released;
5) the hydrocarbons are slowly **depurated** or released from the body over time once the source of uptake is eliminated.

These same five things are occurring to hydrocarbons taken up by any fish in the water column, the halibut and any other bottom fish down in the sediment, the crabs, the shrimp, and many of the other large and small crustaceans whether they are **pelagic** (living in the water column) or **benthic** (living in the bottom sediment).

What about the clams and mussels? They also take up hydrocarbons from their food and water and they also metabolize hydrocarbons to some extent, although not as well as crustaceans and vertebrates (fish and mammals). Also when there is a high concentration of hydrocarbons in the water column, bivalves have a tendency to close up and just wait until there is a concentration of hydrocarbons decreases.

Let's take a brief look at seabirds and marine mammals. Hydrocarbons are taken up through the diet and also through preening in birds and some mammals (sea otters). Once in the body, the hydrocarbons are eliminated, stored in fat and other tissues, or metabolized.

Another important concept which determines the overall affect of hydrocarbons in the marine foodweb is the rate of exposure. By this I mean the difference between **acute exposure** (which is short term, high concentration) and **chronic exposure** (which is long term, low concentration). Acute exposures occur during an oil spill, like in Cook Inlet this summer; chronic exposures occur wherever there are low level inputs of hydrocarbons over long periods of time, like at a fuel dock, inside a harbor or at Alyeska.

I am going to demonstrate the difference in affect on marine organisms between acute and chronic exposure. First, let's have another oil spill in the eco-scene. The hydrocarbons or red magnets cover the water surface. Immediately the oil starts to weather and it is transferred into the air and the water column where it is transferred into the pelagic organisms. Say the currents are strong and the surface oil is fairly rapidly carried off (so these magnets up here disappear). The organisms that have picked up hydrocarbons, if they don't die from the acute exposure, will eventually **depurate**; that is the hydrocarbons will be eliminated as the **body burden** comes into equilibrium with the surrounding water. The ecosystem, given time, will usually recover.

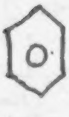
Now say the currents are not strong and the oil stays in the vicinity of where it was spilled. This is where we start to have problems because now the hydrocarbons have time to reach the bottom sediments. Once hydrocarbons get into the sediments, the exposure time is more prolonged as the hydrocarbons will leach out of the sediments long after the hydrocarbons in the water column are dispersed.

What about chronic exposure? During chronic exposures, hydrocarbons remain both in the water column and in the sediments so they are constantly available to marine organisms. It is this long-term exposure which ultimately damages the ecosystem by reducing the reproductive potential of many fish and invertebrates.

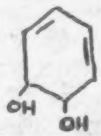
Ok, we can see that hydrocarbons as a group are very **bioavailable**; that is many hydrocarbons are readily taken up by marine organisms and transferred throughout the foodweb. Hydrocarbons are also **persistent** in subarctic environments which means that when oil is spilled and not cleaned up, the hydrocarbons remain in the environment and are available to organisms for relatively long periods of time. But so what? This brings us to my last two questions: **what do these compounds become?** And: **how do hydrocarbons affect marine organisms?**

Now it's time for a little toxicology! **Toxicology** is the science of poisons; marine toxicology is the science of poisons in the marine environment. Paracelsus said, back in the 1500s, that: "All substances are poisons; there is none which is not a poison. The right dose differentiates a poison and a remedy." Aromatic hydrocarbons are poisons. How do these poisons affect marine organisms? Basically, poisons affect an organism either directly or indirectly when the compounds are metabolized or broken down by the body. When an organism attacks a hydrocarbon, the original compound is called the **parent compound.** During metabolism, the parent compound is transformed into **partially or completely oxidized derivatives or metabolites.**

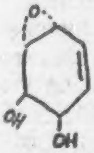
Let's start with the microbial degradation of benzene as an example. First of all, benzene itself is a known **carcinogen** (or cancer inducing compound) and **teratogen** (or compound which induces malformations during development from conception to birth). (Carcinogens and teratogens are both types of **mutagens** or compounds which cause changes in the genetic material in the nucleus of the cell in ways that can be transmitted during cell division.) Anyway, bacteria attack benzene by breaking the double bond and introducing oxygen to produce an intermediate **hydroxylated derivative,** then another oxygen may be introduced to produce an **epoxide.** Epoxides are in a group of compounds called **free radicals;** they are very unstable and they tend to bond readily to DNA.



benzene

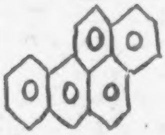


hydroxylated intermediate

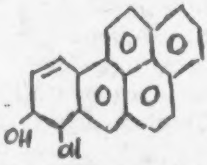


epoxide

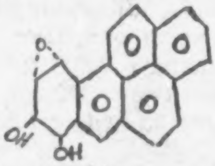
Now let's look at a polycyclic aromatic hydrocarbon and you'll see some similarities in the **breakdown pathway.** This compound is called **benzo(a)pyrene.** It too is attacked at a double bond where oxygen is introduced to produce a hydroxylated intermediate, then an epoxide.



benzo(a)pyrene



hydroxylated intermediate



epoxide

Petroleum hydrocarbons contain both **direct-acting carcinogens,** like benzene and xylene, or compounds like benzo(a)pyrene, which must first undergo **biochemical activation** to become carcinogens. This latter type is called a **procarcinogen.** Polycyclic aromatic hydrocarbons contain some of the most extensively studied chemical carcinogens. They are found in soot, coal, tar, tobacco smoke and petroleum products. In colder climates, metabolism of aromatic compounds is very slow and often incomplete; many partially-oxidized metabolites are produced. These compounds are available to work their way through the foodweb in a manner similar to the parent compounds.

It's important to realize that hydrocarbons are transformed into derivatives and metabolites once they enter the marine environment because it is a common ploy of industry to monitor only for the parent compounds; the compounds that are actually being released by the industry. Say for example, the compound benzene is being released into a coastal marine environment and monitored by industry. Only a little benzene is found in the water, but there is a large biomass of benzene derivatives and oleoclastic bacteria. (Oleoclastic bacteria preferentially degrade petroleum hydrocarbons and increase in numbers during chronic exposure). Industry claims that they are not polluting the environment because they are not releasing the derivative compounds. What would you say? You would ask for studies to determine the source of the benzene derivatives because you now realize that the derivative compounds can be just as toxic as, and in some cases more toxic than, the parent compounds.

But what do aromatic hydrocarbons and their derivatives do to marine organisms? Well, high concentrations flat out kill things but what about low levels? Water-borne compounds decrease the reproductive potential of copepods and many of the planktonic larvae, eggs and juvenile life stages are extremely sensitive to low levels of aromatic hydrocarbons. Low doses of aromatic hydrocarbons have been shown to alter behavior in crabs and fish with both lethal and sublethal results. Liver tumors in English sole were related to the free radical 6 oxybenzo(a)pyrene bound to DNA. Aromatic hydrocarbons impair reproduction in crabs and shrimp.

I think now you can appreciate why I as a fisherman am concerned about oil in the marine environment. Oil in the marine environment, from whatever source, directly and adversely impacts the fishing industry, the economy of fishing communities, and the overall economy of the state. It is imperative that the state's Water Quality Standards are both stringent and enforced and that an adequate contingency plan for oil-related accidents exists for our state. It is up to us, the public, to make informed decisions about these regulatory policies. I hope this overview of the fates and effects of petroleum hydrocarbons in the marine environment leads not only to some sound decisions and regulatory policies, but also to perhaps a bit more care when you fill up at the fuel dock or that it makes you think twice about pumping your bilge in the sound. Thank you.

Speech delivered at Prince William Sound Community College, Valdez, Dec. 10, 1987.

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SUBMITTED to VECO ON MARCH 29.
SUBmitted to CHUGACH NATIVE Corp - MARCH 31
3 - SUBMITTED to KONIAG NATIVE CORP & ALEUT CORP - APRIL 5
4 - SUBMITTED to US FISH & WILDLIFE - April 6

OVERVIEW

5 - SUBMITTED to EXXON - APRIL 7
6 - PROPOSAL IN ALASKA SEA OTTER COMMISSION PACKET APRIL 12
7 - RESUBMITTED TO EXXON APRIL 14

Sea otter population in Prince William Sound is estimated at 10,000 to 12,000. As of Wednesday, April 12, the recovery effort has netted 100 sea otters. Half of these have died. A biologist who has been working with sea otter for four years counts the Prince William Sound sea otter as "completely decimated."

As of April 13 the spill has completely covered the Kenai Fiords National Park coastline which has an estimated sea otter population of over 2,000. The spill has hit Homer and Cook Inlet both of which have large populations of sea otter, seal & sea lion. The Barren Islands north of Kodiak Island have been impacted. These islands have immense numbers of bird colonies and also carry a large haul-out area for sea lion. Now the oil spill has heavily impacted the Katmai coastline and has been spotted at Chignik and beyond, over 1,000 miles from where the Exxon Valdez oil spill began. It is estimated that the spill will reach the Aleutian Islands sometime in June. All these areas carry immense populations of sea otters and other wildlife, waterfowl, and marine mammals. Whales migrate throughout the chain during this time of the year. All species throughout Prince William Sound, Cook Inlet, Kodiak and the Shelikoff Straits, and the Alaska Peninsula have been impacted. Kodiak Island has been hit by the moving oil slick and threatens an estimated 17,000 sea otters and their habitat. All species throughout Prince William Sound, Cook Inlet, Kodiak and the Shelikoff Straits, and the Alaska Peninsula have been impacted.

This is an emergency plan specifically targeted to retrieving live sea otters, to be relocated in Alaska, before oiled and dead sea otters become another grim statistic from this tragedy. We propose to utilize local help from the native communities most affected. They know the area better than anyone else and they stand to lose the most as the results of this spill. They are also the most familiar with the affected marine mammals and have traditionally managed all their resources so that what they need to subsist on has remained on the face of this earth to this day. Current technology does not seem to have done this same job as the oil companies have only been in Prince William Sound for the past 14 years and now whole ecosystems have been killed off, some almost to the point of depletion. It is time that Alaska Natives are allowed to try to help in the effort to save what they have for centuries saved. Up until this point in time Alaska Native communities and workers have only been allowed to clean up the beaches of oil. They desire to do more for the animals they rely upon to survive.

SUBMITTED TO D.C. / USFWS, SUSAN RECCE LAMSON
APRIL 16
INOUYE, LUJAN, SKINNER,
AK CONGRESSIONAL DELEGATION

/ APRIL 17 - SUBMITTED TO MERRILL LYNCH, Wilderness Society
/ APRIL 20 - SUBMITTED TO BIA
APRIL 22 - SUBMITTED TO SIERRA CLUB
GOT NO RESPONSE FROM ANYONE

An Alaska Department of Fish & Game biologist, Lloyd Lowery, told the Alaska Sea Otter Commission that the internal toxic effects on Marine Mammals usually take up to 20 days to begin seeing the greatest majority of mortalities, with more mortalities coming for periods that may last months. The toxic effects cause liver and kidney malfunction and lead to a slow and painful death. It is vital that Natives be allowed to participate in the saving and/or utilizing of marine mammals. To them, sitting on the beach cleaning rocks is not only exasperating but ineffective.

Only Alaska Natives may harvest and utilize marine mammals. The Marine Mammals Protection Act of 1971 specifically exempts Alaska Natives from the regulations imposed on these species. The proprietary interests of Alaska Natives has been clearly recognized by this Federal Act of Congress. New Fish & Wildlife Regulations require the marking, tagging, and reporting of all Sea Otter skins taken. The information currently available indicates there will be virtually no further attempt to alleviate further decimation of this species by Federal, State or private interests. Their first priority, the saving of commercial salmon fisheries, continues to consume all available resources. The result has been the continued decimation of Marine Mammals (i.e seal, sea otter & sea lions) by these present policies.

METHODOLOGY

Healthy Marine Mammals are dangerous and difficult to catch. We will coordinate boats with crews to bring mammals to a central location on each island for relocation. We will also coordinate with villagers as to site selection for cleaning stations. We propose to use the U.S. Fish and Wildlife Service and the team from Sea World to train and provide the necessary expertise and specialized equipment required in this effort.

Villagers will be hired to transport mammals to cleaning stations. Because of the great numbers of marine mammals that have already been affected, villages in the Kodiak area and Cook Inlet and throughout the Aleutian chain will be called in to help with each phase of the operation. It is imperative that Alaska Natives are trained as an Emergency Rescue Response Team in the event of another spill. They will stand prepared to act immediately instead of waiting for experts from other parts of the world to fly in. This plan is completely expandable, as we have the resources and contacts in all the villages and fishing communities to call in workers as they are necessary.

EQUIPMENT

A communications command center is needed to coordinate with the contractor, State and Federal agencies and with Natives while they are working. It will require 10 - 15 large vessels, of 52' or longer to move between the sites and(30 - 40) thirty-six foot boats support boats for the skiffs that survey and capture oiled otters. Village residents will be contracted for use of their boats, skiffs and expertise. Remote cleaning sites and base camps will require tents, generators, winches, cooking equipment, fuel and solvent storage tanks and waste tanks. If the Fish & Wildlife Service needs samplings for their biology survey, we intend to train & utilize Alaska Natives to help with this job. Miscellaneous items such as Mustang survival suits, tarps, first aid kits, gloves & clean-up gear will be provided to contracted Natives. Any boats, outboards, and fouled gear will be replaced by contractor through a contract provision.

PUBLIC RELATIONS

Immediate and long term effects:

Hiring Native village residents will give good PR to the clean-up effort, since the Natives in this region rely totally on subsistence they will be hard-hit by this disaster. This proposal will initiate communication to overcome an already tense situation. Since sea otters are such a special tourist attraction, these mammals should be specially targeted for immediate clean-up and removal of dead carcasses. The oil spill has already covered Prince William Sound including, but not limited to Green Island, a major pupping grounds and haul-out area for otters. The Kenai Fiords National Park has been impacted for over two weeks and more than 2,000 otters have been oiled there. It has completely surrounded the Kodiak Islands where there are over 17,000 sea otters. The oil spill is currently moving down the Alaska Peninsula and has been traced to Chignik and beyond. At the rate of travel now charted, the oil spill should impact the Aleutian Islands in June. The urgent necessity of putting the parameters of our plan into effect is becoming more apparent daily. Alaska Natives must be trained as an Emergency Rescue Response Team in order that Natives feel more connected to saving a resource that we have for centuries saved. The Marine Mammal Protection Act specifically deals with wanton waste of mammals and it is prudent that all parties act quickly on saving oil impacted sea otters. We will coordinate with the special Marine Mammal scientific team who are trying to relocate otters.

The faster this plan is put into action the better chance for our proposal and plan to create positive political posturing downstream and credibility to our efforts to clean up this event while training natives for any future events of this nature. Finally, an emergency spill response team living in the area's of immediate impact and traditional knowledge of the environment and Marine Mammals will make a superior, cost effective and safer response team.

PURPOSE OF PROPOSAL

To provide immediate management support and direction to minimize the economic and ecological damage that has occurred and is ongoing.

The Indigenous Conservators of the Environment (I.C.E.) is a non-profit, tax-exempt environmental Tribal organization. Our primary objectives are to preserve, protect and enhance the marine mammals environment. We also will share information with various tribal organizations on environmental and other issues pertinent to Indigenous communities. We are proposing to subcontract with Exxon, Federal Agencies (i.e BIA, Dept. Of Interior, Commerce and/ or Agriculture and Transportation Dept.), and any other funding sources using all available resources i.e. Federal, State, and Private agencies and the public in order to accomplish our goals and objectives. We have the expertise, manpower, boats, and airplanes available within the native community to coordinate and implement this proposal immediately. Tribal Council call-outs will be utilized with priority given to residents in the impacted area. This is a priority issue with the Tribal Councils in all the affected areas. This concept will not only ease the tensions in the villages as far as local hire is concerned but it will also improve overall operations, cut costs, and add to the overall safety of the total operation.

Communications problems have been one of the most detrimental to the otter rescue. Our project will require a base operations command center which will be linked to remote base camps and cleaning stations. A computer link-up to the satellite system with phone modems or onboard faxes. In keeping track of the boats longitude and latitude, number of otters caught and where, plus other pertinent information of needs and accomplishments. Weekly progress reports will be delivered to appropriate agencies.

The Indigenous Conservators of the Environment (I.C.E.) proposes to use present costs standards adopted by Exxon for Boats and personnel. This is of utmost necessity as Alaska Natives have so far been volunteering their time to be trained. I.C.E. proposes to hire Natives, for pay. This makes good economic as well as social sense, as Alaska Natives have families to support and they usually spend the largest amount of their pay in Alaska. Alaska Natives cannot afford to volunteer their time. Examples are $ 3300 per day for boats (includes crew of three, fuel and food) in the 30 ft. -40 ft. class; $15000 per day for 60 ft.- 100 ft. class; $ 350 per day for skiffs, 16 ft. - 18 ft. (includes crew and fuel).

Manpower rates for laborers, cleaning station attendants, expediters, office help, cooks etc. start at $15.00 an hour with 1 1/2 for overtime after first 8 hours. Rain gear and safety equipment to be provided by Contractor. Transportation to and from hiring locations to be paid by contractor using commercial airlines. Local businesses will be utilized to the fullest extent.

In closing, using Alaska Natives for this project will ensure less damage to the environment and respect for burial sites (i.e archaeological sites). The local natives knowledge of tides, boat handling skills, knowledge of Marine Mammals and traditional values makes them extra effective. Working effectively on this project will alleviate some of the loss Alaska Natives have suffered as a result of this event.

END

JOURNAL FOR I.C.E./INDIGENOUS CONSERVATORS OF THE ENVIRONMENT

by Fred Bahr/"Tosha" Galaktionoff

March 28-Tuesday: wrote proposal to retrieve sea otters

March 29-Wednesday: turned in proposal to VECO @ 3:00 PM

March 30-Thursday: Waited for response from VECO

March 31-Friday: Met with VECO lawyer, John Kerrigan @ 10AM stressed public relations part of the proposal how bad it would make the oil companies look when dead sea-otter showed up on national TV & how important it was to immediately put our proposal in place. Turned in proposal to Chugach Native Corporation by 3:00 PM Brought Pio Park out of exec. mtg. to explain proposal to him. explained importance of time frame. He was leaving for Prince William Wound over the weekend. Will return on Friday.

** APRIL **

April 1-2: the weekend. Waited to hear from VECO or Chugach.

April 3-Monday: turned in proposal to Teamsters Union. Met F&W and Ak St F&G.

April 4-Tuesay: Faxed proposal to Margaret Roberts in Kodiak. Need Ak Sea Otter Commission approval for F&W, F&G.

April 5-Wednesday: Met w/Koniag Native Corporation, Aleut Native Corp, explained what we proposed and the urgency. Tried to get funding Both Corp. turned us down, saying they were for profit Corp., and not interested in cultural issues. All the corporations say they are real estate and property investors.

by-note* Continually met with F&W. Mimi Hogan, Wells Stevenson, John Nickles and Keith Bayha (F&W agent in charge of Operation Sea Otter rescue). Wells was for the proposal. Mimi & John Nickols against. They said we didn't have the right to touch sea-otters. We pointed out the Marine Mammal Protection Act which states no wanton waste of mammals, Native Exemption, current phase of working with Alaska Natives in our effort to manage what they had not over the past 30 years. How bad it would look for them to say natives couldn't help in the recovery effort to save otters.

Believe they received letter from Koniag turning down the proposal. They won't except phone calls. Chugach says Department of Environmental Conservation has said that anyone not authorized by them to retrieve sea otters will be fined. Chugach says they will not be involved. The marine mammals protection act is a Federal law, state has no jurisdiction.

Continue to watch non-natives deal w/sea otters on TV in cleaning centers, they come in from Minnesota and Italy. No natives.

More notes*

The natives in Chugach region villages of Tatitlek & Chenega have since been hired by VECO @ $17. an hour to clean rocks. Meanwhile non-native fishermen in Cordova have been hired out at $2,500 a day to begin transporting otters. On Friday, April 7 F&W says they have also hired helicopters to transport otters at a high rate, paid everyday-whether they flew or not, mostly they are not flying as the weather is coming up. Otters wait in the pens on the beaches dying, waiting to be picked up by the helicopters. Villagers in Tatitlek had the boats, the expertise & the willingness to do the job much faster.

Otters are dying by the thousands, carcasses are already being picked at by scavengers, eagles, and soon bears. Deers are dying. Tatitlek reports they are told not to eat anything from the area. They are angry they must stand by and watch all their animals die and not be able to pick them up. EVERYTHING IS DEAD.

April 6-Thrusday: Met w/Mimi Hogan (F&W) into to Keith Bayha, 2 1/2 hr. mtg. While we talked he got call from Valdez that helicopters could not fly. Asked us to check into fast boat.

April 7-Friday: Sent proposal to Houston Exxon. Met again w/F&W briefly. checked w/VECO. F&W says permit needed.

April 8/9-Weekend: went to Sunday memorial @ Presbyterian Church.

April 10-Monday: newspaper article; FEDS HALT OTTER RESCUE, need permit to handle otters. Met w/F&W John Rogers, Bayha. Talked to Belli/Coe attornys.

April 11-Tuesday: Update proposal w/Kodiak's request for relocation before oil hits. Prepared for Ak. Sea Otter Commission.

April 12/13 Wed./Thur.: F&W Mimi Hogan & F&G Lloyd Lowery @ mtg, Ak Sea Otter Commission. Say to watch Fed. Register for new regulatins for new regulations. Thurs./Commission passes Resolution 89-01, for Alaska. Native. owned firms to contract to help in otter effort.

April 14-Friday: got packet into Exxon thru their pouch to Valdez-to Tom Monihan also Al Maki. C.G. demands new clean-up plans by Saturday.

April 15-Saturday: No word. Wrote letter to Susan Recce Lamson, Director Washington, D.C. U.S.F.& W.S. put together packet to send to her and Inouye, Udall, Lujan, Bush, Skinner, Reilly, etc.

April 16-Sunday: mailed out proposal packet to F&W-D.C. office, Mo Udall, etc.

April 17-Monday: Went to Times w/story. Joe Hunt. Went to Merril Lynch

Journal cont'd

April 17-Monday: Merril Lynch, Dean Rickerson, explained our plan.

April 18-Tuesday: Merril/Lynch Faxed proposal to corporate headquarters in New York. Took proposal to all Federal Offices; Murk, Stevens, Young, Skinner, EPa, C.G. is the only one who will not fax to Adm. Yost for us.

April 19-Wednesday: went to BIA, Al Kaklien, Fax to Kodiak Tribal Council new letter to F&W Susan Recce/Lamson. Boyco mtg.

April 20-Thursday: BIA Al Kaklien & Area Director George Walters, waited at BIA offices for Lujan & his itinerary. BIA says they will talk to Lujan & tell him of our request but in their own way, as he wants to hear what he wants to hear. Karen (Wilderness Society) Fax our proposal to her D.C. office & Sierra Club.

April 21-Friday: went to Alaska Center for the Environment, Sue Levinson, Ex.Dir. tentative approval, must meet w/brd on Wed. 26th Alaska Conservation Foundation. Sierra Club 151st Birthday party, we went. Boyko says we need $10,000 for retainer.

April 22-Saturday: Sierra Club Chapter Brd. mtg. 1 P.M. give approval to use phones, fax but must meet w/ACE brd. on Wed. for funding.

April 23-Sunday: PWS memorial day events; Westchester Laggon & UAA.

April 24-Monday Sierra Club

April 25-Tuesday Sierra Club Tosh calls Aleutian Eagle to put ad in paper. Fred calls about Burlap. Went to ICC Dalee Sambo, asks for letter of appreciation of cause. Went to ACF, turned in request for $250. turned in letter to Keith Bayha About telephone conversation. wrote bylaws, charter till 6 AM

April 26-Held organizational meeting @ 9 AM, over @ 10:50 AM Wednesday went to board mtg @ Sierra Club @ 12 noon met w/ACE, Sierra Club, Greenpeace, Alaska Conservation Foundation, PWS clean-up committee, Cordova mosquito fleet (volunteer clean-up). They told us we must get the agreement w/FWS before they fund us. Next mtg. on Monday. Tabled everything till Monday, except for $750. for mosquito group. TG called Steve Robinson, deputy director, USFWS in D.C. (5:30 pm their time).

April 27-Thursday-

opened I.C.E. account w/$250. from ACF

April 28-Friday Fred calls Keith Bayha in AM. Keith says we are pushing too hard. Says someone called from the Sea otter commission & complained about the resolution. Keith says we should lay back for a couple of weeks. We're making people angry @ us. TG goes to Bartlett Democratic Club-Fred calls at noon to say Keith called back and will sign the agreement. Says "Tosh called Susan Recce". Fred picks up unsigned letter of agreement from F&W at 6 PM. Keith says he wants someone by 11 AM on Saturday to go out to "Roman E" to train. Tried to fax letter to Margaret Roberts @ Ciri Blg.

April 29-Saturday Cannot find anyone to go on such quick notice on Friday nite. Fred goes to F&W @ 11 AM-Keith wants someone. Fred sends Tosh, leaves @ 3 PM for Homer

May 7-Sunday 10 Am Tosh flies in from Homer, Fred has office, tried to have phones hooked up, car. met w/Jess, lunched w/Delice-she signs up.

***************** More later *********************

April 14, 1989

Exxon Oil Corporation
3301 "C" Street
Anchorage, Alaska 99503

Tribal Management Consultants
2600 Fairbanks Street
Anchorage, Alaska 99503
Phone: 243-4374

Attn: Tom Monihan, Environmentalist Division

Re: Contract Proposal
Sea Otter Rescue Operation

Dear Sirs;

The enclosed is a copy of a proposal that we have submitted to Veco, Inc., Mr. John Kerrigan, on March 29, 1989 in Anchorage (with changes as the spill has progressed). We propose to provide management and co-ordination to help with the sea otter rescue utilizing Alaska Natives in the effort.

Tribal Management Consultants, (TMC), is a 100% Alaska Native owned firm. We have through the years, established contacts throughout Alaska, from the Aleutian Islands to Prince William Sound and the North Slope. We possess expertise within the Native community that stand ready to implement this proposal. We feel a more effective co-ordination effort utilizing Alaska Natives, who possess traditional knowledge in the handling of Marine Mammals, will uniquely qualify them more so than others to help in the effort.

The Marine Mammals Protection Act of 1971 specifically recognizes the Native peoples right to harvest sea otters for subsistence and handicraft purposes. Over the centuries our people have been the original conservationalists and have historically managed resources in an ecologically-sound manner. The Marine Mammals Protection Act (MMPA) prohibits the wanton waste of marine mammals as does our Alaska Native philosophy towards management of our resources.

The Sea Otter Commission passed Resolution #89-01, on April 13, 1989 specifically requesting that Exxon begin contracting with Native-owned firms on sea otter rescue operations, (Attached for your review). TMC's goals include hiring, training, co-ordinating those most affected by this tragic event, Alaska Natives who have lived here since time immemorial. The local Natives knowledge of tides, boat handling skills, knowledge of Marine Mammals and traditional values makes them most extra-effective and cost efficient and ultimately a safer operation.

In closing, TMC hopes you will seriously consider this contract proposal. Your prompt consideration and action will make this sea otter rescue a more effective operation. We stand immediately ready to put into action the enclosed perimeters of this proposal as we have boats and personnel anxious to go to work. We look forward to hearing from you at your earliest possible convenience, day or night, at the above listed phone number. Thank-you for your time and consideration.

Sincerely yours,

Fred Bahr

Fred Bahr, Vice President,
Tribal Management
Consultants

CC: Dept. of Interior
Bureau of Indian Affairs
Dept. of Commerce
Dept. of Transportation
U.S.C.G.
U.S.F.W.S.
A.D.E.C.
D.N.R.
A.D.F.& G.
Dr. Al Maki, Env. Scientist
Alaska Sea Otter Commission
VECO, Bill Allen, Pres.
Senator Daniel Inouye
Senator Morris Udall
Alaska Congressional Delegation
Jess Lanman, Pres., TMC

April 15, 1989

Ms. Susan Recce Lamson, Acting Director
U.S. Fish and Wildlife Service
Department of the Interior
1800 C Street, N.W.
Washington, D.C. 20240

Tribal Management Consultants
2600 Fairbanks Street
Anchorage, Alaska 99503
Ph: (907) 243-4374
Fax: (907) 258-6682

Dear Ms. Lamson:

I know it must be difficult to step into a position as encompassing as yours and be able to keep up to date on all that has been going on. I have been keeping up with the sea otter issue for over 4 years now. During the past year we have had one finalized ruling concerning sea otter, and one currently proposed regulation. I wrote to Senator Carl Levin concerning negotiated rulemaking and will send along a copy of the response that he forwarded to your office and myself. Please consider this regulatory negotiation process as you further read the enclosed proposal and request for special Federal Permits.

Enclosed please find a proposal that we turned into VECO on March 29, 1989 to Mr. John Kerrigan, attorney for VECO. We received no response from them regarding the proposal. We turned in the proposal in order to assist in saving the sea otter population of Prince William Sound and other impacted areas and to include Alaska Natives in any effort dealing with Operation Sea Otter Rescue. We understand the tides and currents in these areas as well as the Gulf of Alaska, Cook Inlet and Kodiak areas and knew that a spill the size of the Exxon tanker would soon deaden the sea otter habitats. Our proposal stressed the crucial time element involved in trying to save otter, as when sea otter are covered only 10-20% with oil, they suffer enormously, internally and externally, and then they die. If our proposal could have been seriously considered we feel that recovery would have been much more than the 1% (100+ otters) that have so far been captured, with over 1/2 of them dying in the past 21 days. There were over 10,000 sea otters in Prince William Sound before the oil spill. A biologist who was working with the Prince William Sound sea otter counts the population as "completely deciminated" now.

In the next two weeks we turned in the proposal to various other agencies, each time stressing the importance of the time frame involved. Needless to say, we received varying degrees of interest, but again no real response or commitment to saving of otter. We turned in the proposal to the regional office of Fish & Wildlife on April 4, 1989, at 1011 Tudor Road in Anchorage. We spoke to two biologists there, a Mimi Hogan and John Nickles (supervisor). Then we were directed to Chief of Investigations, Mr. Keith Bayha, who was FWS Sea Otter Rescue Project Leader. He at first was in support of our concept in hiring Alaska Natives in order to assist in the sea otter rescue attempts. He requested that we check into a fast boat that would be more effective than the helicopter he had been working with, that couldn't fly most of the second week of the spill. The next day we returned with the boat necessary to do the job, Mr. Bayha's response was to keep the boat on line and he would get back with us (this was Friday, April 7). Monday morning we met with Mr. Bayha and Mr. John Rogers, assistant Director Alaska Area office. Mr. Bayha informed us that the boat was no longer needed and that the word from D.C. was that saving sea otters was not a priority as it was a "futile effort" and that no one would be allowed to rescue sea otters except for Fish & Wildlife agents from this point on. He said any unauthorized or unpermitted persons picking up otter would be ticketed. Approximately five days later this made front page headlines.

As our sea otters continue to die in unprecedented numbers, with an additional 20,000 now in jeopardy in the Kodiak Island, Kenai Fiords National Park and Cook Inlet areas, we feel that Fish & Wildlife should again take another look at the Marine Mammals Protection Act and should consider encouraging a specific effort to try to save from total decimination our Alaska Sea Otter. Scientific evidence shows that the toxic effects of an oil spill this size will continue to poison the wildlife and eco-systems through the food chain (ie. starting with plankton, shellfish, marine mammals) and this toxicity lasts not just while the oil is in the water, but as the lead and zinc fall to the bottom of the seafloor, they time release for periods of 10-20 years. This lead zinc poisoning remains in the animal collecting in their livers and kidneys for years, accumulating until causing death down through the years. Understanding this we still stand prepared to coordinate an effort with Fish & Wildlife Service in order to prevent wanton waste and depletion of our stocks of otter.

The Alaska Sea Otter Commission on April 13, 1989, in Anchorage passed Resolution #89-01 urging Exxon to begin contracting with Alaska Native owned firms to become involved in the sea otter rescue operations and that the U.S. Fish & Wildlife Service begin issuing permits to Native owned firms allowing them access to the sea otter rescue operation in

Prince William Sound. Tribal Management Consultants would like for Fish & Wildlife Service to reconsider our proposal, contract with us, and give us direction as to how to apply for and receive the necessary permits expeditiously in order to become involved with the sea otter rescue attempts. Included with this request we want a special permit to save and utilize dead sea otter skins to be returned to the Natives of the impacted areas so that we may be able to help them recover some of their losses by selling these lost sea otter skins on an open-market. We are told that Fish & Wildlife Service is holding all otters in freezer vans to be held as evidence for an undeterminable time for a court case.

We do not feel that Fish & Wildlife should withhold the right of the Alaska Natives to salvage these furs in an effort to recoup subsistence losses. We feel that FWS should be retaining a small percentage of whole otter for evidence in this case but that it is unnecessary for the agency to hold all of these, as each one will be sealed and tagged and recorded as required by your new regulation; these Federal tags and records will, I am sure, be admissible in court, as evidence of the total damage to the sea otter population. The irresponsible, inhumane, and illegal policy presently in action could be looked at as grounds for a court case by the Native community if agencies do not consider at once to turn these policies around and include Alaska Natives in the total effort to save sea otters at peril and to utilize oiled sea otters recovered due to the oil spill which was in no way our responsibility.

We Alaska Natives have always considered the sea otter our brother and we feel that we are not being empowered to help our brother who are suffering and dying by the thousands. The difference between the FWS effort, now considered a"PR effort" and a lost cause, and the Native Alaskan philosophy of saving and utilizing all that we can is becoming more apparent daily. We do not agree with the concept of futility in the effort of the sea otter rescue operation. I believe history will prove us right if we are allowed immediately by all Federal, State, and private agencies to begin to implement our proposed plan. We have boats and Native people ready and standing by anxious to start forthwith. We would hope for cooperation.... without intervention, (ie. the threat of ticketing or any other means) which would keep us from our traditional role as conservators and stewards of our brothers and sisters, the sea otters of Alaska.

Your prompt attention and action to this request and proposal is mandated by the Marine Mammals Protection Act of 1971, as amended in 1988.

In closing, we want to work with you and Fish & Wildlife Service to reverse the present policy and put the necessary resources, (ie. equipment, manpower and expertise) needed for a comprehensive effort to save and utilize whole sea otter populations and habitats. We look forward to hearing from you in a positive manner at your earliest possible convenience.

Sincerely yours,

Tosha Galaktionoff

Tosha Galaktionoff
Secretary, TMC

CC: The Honorable George Bush, President
United States of America

Mr. Manuel Lujan, Secretary
Dept. of Interior

Senator Daniel Inouye, Chairman
Senate Select Cmmte. on Indian Affairs

Alaska Congressional Delegation

Admiral Paul Yost, Commander
United States Coast Guard

Exxon Corporation
N.H. & Texas Offices

Mr. Steve Cowper, Governor
State of Alaska

Dept. of Natural Resources
State of Alaska

Dennis Kelso, Commissioner
Dept. of Environmental Conservation
State of Alaska

Mr. Howard Weaver, Editor
Anchorage Daily News

Mr. Robert Atwood, Editor
Anchorage Times

Editor, Washington Post

Editor, New York Times

Mr. Jess Lanman, President
Tribal Management Consultants

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PETE WILSON, CALIFORNIA

LEONARD WEISS, STAFF DIRECTOR
JO ANNE BARNHART, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON
GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

April 4, 1989

Ms. Susan Recce Lamson, Acting Director
U.S. Fish and Wildlife Service
Department of the Interior
1800 C Street, N.W.
Washington, D.C. 20240

Dear Ms. Lamson:

As Chairman of the Senate Subcommittee on Oversight of Government Management, I have supported an innovative rulemaking procedure called negotiated rulemaking. The purpose of this letter is to request that the U.S. Fish and Wildlife Service consider using negotiated rulemaking in developing federal rules regulating the use of sea otters by Native Alaskans.

Negotiated rulemaking is a drafting process in which the interests who will be significantly affected by a federal rule join the federal agency in forming a advisory committee and negotiating a mutually acceptable regulation. A number of federal agencies, including the Department of Transportation and Environmental Protection Agency, have used this process to develop timely, effective rules. For example, the Federal Aviation Administration used negotiated rulemaking to break a 30-year impasse among competing interests and issue a new rule regulating pilot flight hours. This rule not only was widely accepted by industry, labor and consumer groups, but also accommodated the special needs of Alaskan bush pilots who helped negotiate its content.

To my knowledge, the U.S. Fish and Wildlife Service has not yet attempted to develop a rule using the negotiated rulemaking process. The topic of sea otters as a possible first subject suggested itself when I received the attached letter from a Native Alaskan. For more information on negotiated rulemaking and for assistance in determining whether it would be an appropriate rulemaking procedure in this instance, your staff may wish to contact David Pritzger of the Administrative Conference of the United States (254-7020), who is an expert in this area.

Thank you for your attention to this matter. If you have any questions, please have your staff contact Elise Bean of my Subcommittee staff at 224-3682.

Sincerely,

Carl Levin

Carl Levin, Chairman
Subcommittee on Oversight of Government Management

CL:ejb

Enclosure

cc: Mr. David Pritzger
~~Ms. Tosha Galaktionoff~~

United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

MAY 15 1989

Dear Concerned Citizen:

Secretary Lujan has asked me to respond to your recent letter concerning the oil spill in Prince William Sound.

Since the grounding of the __Exxon Valdez__ on March 24, the Department of the Interior has been working with the U.S. Coast Guard, which has the lead responsibility for overall coordination for oil spill clean up and monitoring. Both State and Federal agencies are playing key oversight roles in fulfillment of their various laws and mandates. Department of the Interior staff and equipment have been deployed for fish and wildlife rescue and rehabilitation, monitoring shoreline clean up, and biological impact studies. Volunteers have played a large role in our recovery efforts in Prince William Sound, and hundreds of citizens have joined in the effort to contain the spread of oil, clean up beaches, and rescue wildlife.

As the Department of the Interior agency charged with the conservation and management of numerous species of wildlife, the Fish and Wildlife Service shares the concerns expressed in your letter. There is a full-scale effort to rescue oil-impacted wildlife, but sea otters are among nature's most sensitive animals and are highly prone to stress-related injury. For this reason, the Fish and Wildlife Service asked that handling of otters be deferred to trained individuals, while volunteers aid in sighting affected otters and assisting veterinary-skilled handlers. Otter rehabilitation centers have been established in Valdez and Seward and are staffed by some of the best sea otter experts in the world as well as by volunteers. The Service has also initiated a training program for Alaska Natives to provide them with the skills necessary for a role in sea otter rescue and rehabilitation. In addition to otter rehabilitation centers, there are bird rehabilitation facilities in Kodiak, Homer, Valdez, and Seward.

There is no question that this oil spill is a major environmental catastrophe with yet unknown long-term impacts. The initial spill response by Exxon was slow. At this point, there is considerable interagency and private sector coordination of clean-up actions, damage assessment, and planning for long-term evaluation studies. These studies will be valuable in addressing resource decisions. The Department will continue to review development proposals, including oil and gas leasing on the Arctic National Wildlife Refuge, with maximum consideration of environmental concerns.

I can assure you that the Department of the Interior and the Fish and Wildlife Service from the top down are committed to the clean up and wildlife recovery efforts in Prince William Sound. We are grateful for the efforts of so many citizens who share our concern for wildlife and the environment. Their energy and dedication are valued assets during this crisis.

Sincerely,

Susan K. [illegible]

Deputy Assistant Secretary for
Fish and Wildlife and Parks

Koniag, Inc.

April 6, 1989

Mr. Jess Lanman, President
Tribal Management Consultants
2600 Fairbanks St.
Anchorage, Alaska 99503

Dear Mr. Lanman:

I am in receipt of your letter/proposal to Mr. Frank Pagano dated April 5, 1989.

After a careful review of your concept and plan, I have reached the conclusion that Koniag, Inc. has no desire or interest in participating financially or otherwise.

I wish you the best of luck in your pursuits. Thank you for your interest in Koniag, Inc.

Sincerely,

KONIAG, INC.

Uwe L. Gross
Chief Executive Officer

ULG/dl

cc: Frank Pagano, President, Koniag, Inc.
Jon R. Nickles, Supervisor, U.S. Fish & Wildlife Service

4300 B Street, Suite 407 • Anchorage, Alaska 99503 • (907) 561-2668 • Telecopier: 562-5258

Koniag, Inc.

May 11, 1989

VIA TELECOPY

I.C.E.
501 W. International Airport Rd.
Anchorage, Alaska 99518

Attention: Tosha Glaktionoff

Dear Ms. Glaktionoff:

I am in receipt of your letter to our Mr. Frank Pagano dated May 10, 1989.

Please be advised that we stand by our prior position regarding your organization's request for funds as communicated in my letter of April 6, 1989.

To the extent your organization has legitimate sanction to conduct the activities you propose, I would suggest you deal directly with the Exxon Corporation or its agents regarding financial assistance.

Sincerely,

KONIAG, INC.

Uwe L. Gross
Executive Vice President &
Chief Executive Officer

ULG/dl

cc: Frank Pagano, President

4300 B Street, Suite 407 • Anchorage, Alaska 99503 • (907) 561-2668 • Telecopier: 562-5258

U.S. Department
of Transportation

United States
Coast Guard

Federal On Scene
Coordinator
U. S. Coast Guard

P. O. Box 8
Valdez, AK 99686
(907) 835-5900

16465

MAY 23 1989

Mr. Fred Bahr, President
Indigenous Conservators of the Environment
501 W. International Airport Road STE 34-36
Anchorage, AK 99518

RE: Housing for volunteers working at Otter Rescue Center in Seward, AK

Dear Mr. Bahr,

Vice Admiral Robbins is very pleased to hear that the Indigenous Conservators of the Environment is working to insure that Native Alaskans are being trained in Sea Otter rescue.

I have discussed your need for housing in the Seward area with the U.S. Fish and Wildlife Service, Exxon, and Vice Admiral Robbins' staff, so we could provide you a timely and complete answer to your inquiry. Unfortunately, it has taken more time than I would have liked, but I do have an answer for you.

We are not exploring the use of the Air Force Recreational Facility at this time because Exxon has arranged for a separate camp site to be available in the Seward area. I am advised that Exxon, in concert with U.S. Army Officials arranged for the Otter Rescue Center to have available, recreational vehicle pads and campsites at their recreational park in Seward. The point of contact is Ms. Tammy Thomas, the volunteer coordinator at the Otter Rescue Center, telephone number 224-7014. I hope this solution is satisfactory and wish you every success in this endeavor.

With regard to your request for our daily Coast Guard report, the Seward Command Post Supervisor, LT Kim Louttit, began sending this report to you on 18 May 1989.

Thank you for your interest and we applaud your leadership in the area of otter rescue.

Sincerely,

David Zawadzki

DAVID ZAWADZKI
Captain, U.S. Coast Guard
Federal On Scene Coordinator
Chief of Staff

May 23, 1989

Committee on Interior & Insular Affairs
Water, Power, and Offshore Energy Resources Subcommittee
U.S. House of Representatives
Washington, D.C.

RE: Marine Mammal Rescue

ATTN: Sharon, Clerk

Enclosed please find the journals of two otter catchers. As you may note, many days are spent not catching otters as the Seward Otter Center (or the Valdez Center at that time) could not accept any more otters due to the centers being full. If you could be here to see the sea otters oiled and the mothers and pups brought in dead, or the seals not bonding with their pups because of the oil covering their babies, then you could understand full well the deep concern our organization has that the Marine Mammal Rescue may be phasing out. 10,000 to 20,000 sea otters have already died. The seal and sea-lion pupping grounds have not been cleaned and now these pups are in serious danger. All these mammals, and all the resources from the sea, are what Alaska Natives have always depended on. The sea, therefore, remains their grand resource. Now the resource we have for centuries relied upon has been contaminated. I.C.E. asks that Congress investigate the death toll more fully before allowing Exxon to phase out the Marine Mammal rescue.

JOURNAL OF TOSHA GALAKTIONOFF, FIRST SEA OTTER HANDLER SENT OUT BY I.C.E. AFTER WORKING AGREEMENT WAS REACHED W/USFWS.

May 1, 1989: First day out. Went out and surveyed. Got word "Catch No More Otters." The reason given is that there is a viral disease in the Valdez Otter Center that is killing the otters and the Seward Center is not opened.

We went around Port Dick (near Kenai Fiords) light sheen everywhere, on the beach someplaces it is so deep it goes up to your thighs. The total survey shows 75 to 80 otters present, now, many have died.

May 2, 1989: Orders remain, "Catch no more otters." I went to the beach where the Aleut villagers from Port Graham are working beach clean-up. They reported many from the village were hired by VECO at first, for 18 hour days. When they went to renew the contract after 2 weeks, VECO cut the crew in half and cut their hours to 8. The Port Graham workforce work past the 8 hours everyday, from

8 AM to well after dark (9:30 to 10:00 PM) anyway. This is their salmon area, their recreation area. Their grief at what has happened shows in their faces, in their voices; it brings me grief to watch them mourn. We look up in the air and watch the geese and the ducks land in the oil. They say their whole way of life is gone.

May 3, 1989: Orders remain "Catch no more otters." I watch the otters swim around the boat at 6 AM in the morning. Over 150 otters surveyed here.

May 4, 1989: Orders remain "Catch no more otters." At dusk we receive word from another otter boat that we may set tangle nets again. Got word on the mother & pup sent in the day before I arrived. The mother died enroute as a result of heatstroke due to severe stress of the long plane ride, her temperature upon arrival was 108 degrees. We are now in Windy Bay, all areas hard hit by oil.

May 5, 1989: The other otter catching boat set tangle nets through the night. In the morning 10 otters are in nets. Sent in the otter by helicopters arriving as we brought otters to the boat, therefore no delay time spent waiting, the otters will be in good shape. Other otter boat working the Chugach and Perl islands. After the 9 otters we sent in to Seward, along w/ the catch from other boats the Seward Otter Center had 83 otters total. The Center was only set up to handle 25-50 at first. They couldn't deal with that many otters. So now the command is to "Catch no more otters."

Journal Kept by Sea Otter Capturer number 10 sent out by ICE

10 May, 1989-1st day: Arrived in NO-NAME Harbor 8 PM. They set 4 capture nets for otter which is 9" King gear 150' to 300' nets. We check them every two hours.

11 May, 1989-2nd day: Pulled in 29 otters (only two weren't heavily oiled). Checked them for vital signs from the oil, graded them for color, size, weight, and tag left foot on female, right foot on males. Put them in cages for shipping to Seward or Homer.

Picked up one new born hair seal pup, about 1-2 hours old (just born) which the mother had nothing to do with because of the light oily covering it had over it.

All kelp beds full of oil.

We were shut down because of too many otters, (at the center) no room for any more.

They are saying there isn't enough volunteers to keep up with the otters we sent them. If they would pay the help they won't have that problem. We are on stand by till they find out what the daily catch should be.

12 May, 1989-Third day: Stand-by for further notice. Patched and cleaned gear.
13 May, 1989-Fourth day: Stand-by for further notice. Strip and replace oily parts of nets.
14 May, 1989-Fifth day: Stand-by for further notice. Worked on the gear.
15 May, 1989-Sixth day: Stand-by for further notice. Got some more gear for repair.
16 May, 1989-Seventh day: Stand-by for further notice. Strip and repair gear.

17 May, 1989-Eight day: orders to go out for more otters. Nine otters in net. Received orders to not bring them in. Cut them loose out of net. 3 were so badly oiled they sank and drowned. Received word that my father was very ill. Came into Anchorage.

****

It is noon in our offices now, we have a man in the office who was at Prince William Sound in the first days and throughout the Kenai Fiords area and Homer, English Bay and Port Graham. He is a non-Native, hired at $300.00 a day as a skiff handler. He talked about the Natives getting only $100.00 a day for the same services he provided (skiff-handler).

Many first hand reports come into our offices daily about people burying the dead mammal carcasses at night on different secluded islands. We have also heard that the VECO boats collect dead mammals in plastic garbage bags (to look like the garbage bags filled with oily rags) and throw them overboard on the way into port. It is no wonder that the death toll count is reported at 700 sea otters. This is only the count of those mammals that have been successfully brought in and reported.

Please give further consideration to I.C.E.'s request to investigate the true death toll and the ongoing trail of death of our Alaska Marine Mammals. I.C.E. further requests your help in identifying any funding to help pay our 14 trained sea otter handlers. Thank-you for your time and quick response to our concerns.

Sincerely,

Tosha Galaktionoff

CC:
Alaska Congressional Delegates
Senate Select Committee On Indian affairs

I. C. E.
Indigenous Conservators of the Environment

501 W. International Airport Road, Ste. 34-36
Anchorage, Alaska 99518

(907) 563-4777
Fax (907) 563-7277

May 24, 1989

R.A.V.M. Clyde Robbins
U.S. Coast Guard
Federal On-Scene Coordinator
Valdez, Alaska

RE: SEWARD RECREATION FACILITY/ARMY AND AIRFORCE HOUSING REQUEST FOR ALASKA NATIVES WORKING AT THE OTTER RESCUE CENTER

Dear Admiral Robbins,

I would like to thank you for making camp-sites available for our volunteers at the Army Recreation Center. There are presently five spaces available for R.V.'s and additional space for tents.

While discussing the housing problem with the U.S. FISH AND WILDLIFE SERVICE this morning, I found that they had located housing for six people in the Army Recreation Center. Apparently in the interim, they have found a house to rent which was more suitable for their purposes.

At this time I am inquiring about the availability of the housing located in the Army Recreation Center for our volunteers. If it is still available, please FAX 563-7277.

Your prompt response is appreciated.

Jess Lanman

Jess Lanman
Vice President I.C.E.

cc: files

S. O. S.
SAVE OUR SEA OTTERS
P.O. Box 240707
Anchorage, Alaska 99524
SEND YOUR TAX - DEDUCTIBLE DONATIONS TODAY!

first day

10 MAY 89 Sea otter Catchers' Journal

ARRived Picnic HARbor 8pm - they set 4 CApture Nets for otter witch is 9" King GEAR 150' to 300' Nets. We check them every two hours.

11 MAY

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All Kelp Beds Full of [redacted] oil.

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they are saying there isn't ~~[illegible]~~ ~~[illegible]~~ anough Volenteers to keep up with otters we sent them (if they would pay the Help they won't have that problem) we are on stand By tell they find out what the daily ~~[illegible]~~ catch shoud Be.

12 May

Patch and clean Gear and stand By for further Notice

13 May

strip and Replace oilly parts of nets stand By

14 May

worked on the gear stand By

15 May

Got some more used Gear for Repair part, stand By

16 MAY 89

RepAir AND striped GeAR
stAND By

17 MAY 89

Cut oilly PARts out of the GeAR
stAND By

18 MAY 89

ORders to Go out FoR MORe otteRs
picked UP 9 otteRs witch where lightly oiled
AND there spirit where Real good

19 MAY
UNtangled all catch Gear getting Readdy
to go out for more otter
then Got Message of my father Being
very very Badly sick, gone in. left At 6:00pm
got to Anch. 1030 pm.

5-22-89

Clifford Dolchok

Witnessed by
Tosha Galaktionoff Jr
Sec/trea ICE.
5-22-89

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
1675 "C" STREET
ANCHORAGE, ALASKA 99501-5198

Received.
MAY 23 1989

May 18, 1989

Mr. Fred Bahr, President
Indigenous Conservators of the Environment
501 W. International Airport Road, Suites 34-36
Anchorage, Alaska 99518

Dear Fred:

As you have been advised, the "Alaska National Interest Lands Conservation Act" (ANILCA) program has been contracted to the Alaska Native Regional Non-Profit corporations under P.L. 93-638 Indian Self-Determination and Education Assistance Act, with the exception of a few staff positions which are being retained by the Bureau of Indian Affairs (BIA) to carry out specific area wide ANILCA responsibilities. This is not to say that we are not concerned, however, in recent years, resources have become very scarce and for the most part, traditional BIA program responsibilities have been contracted by tribal organizations through out the state of Alaska. I would urge you to contact those Alaska Native Organizations which we have discussed in the past.

Also, by copy of this letter to the Area Director, Juneau Area, I am making him aware of your proposal in the event funding comes available in the Juneau Area.

Sincerely,

Albert D Kahklen
Albert D. Kahklen
Superintendent, Anchorage Agency

cc: Area Director, Juneau Area

I. C. E.
Indigenous Conservators of the Environment

501 W. International Airport Road, Ste. 34-38
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(907) 563-4777
Fax (907) 563-7277

May 21, 1989

The Honorable Senator Inouye
Senate Select Committee on Indian Affairs
Washington, D.C.

RE: I.C.E. members involved in rescuing marine mammals
affected by the Exxon Valdez oil spill

Dear Senator Inouye,

Aloha from Alaska. We are in an emergency situation involving the Alaska Sea otters dying from the Exxon Valdez oil spill. Contrary to widely held public beliefs that sea otters are not in danger and the rescue effort is concluding, actually otters are dying in so great a number that certain species are nearing depletion. The Indigenous Conservators of the Environment (I.C.E.) members have been involved with the Conservation of Marine Mammals through the provisions of the Marine Mammals Protection Act for several years and I.C.E. has worked intensely since 5 days after the spill to include Alaska Natives involvement in saving those species of marine mammals that we have for centuries saved. On May 1, 1989 I.C.E. reached an agreement with the United States Fish & Wildlife Service to train Alaska Natives in the capture and rehabilitation and to include us in all phases of saving our mammals as an Emergency Response Team (ERT) trained and ready at a moments notice to reconnoiter for the next oil spill. Here is our situation;

I.C.E. has sent out 10 trainees to learn capture techniques from USFWS experts. These trainees are from the villages that could be affected in another oil spill. Two have quit their jobs to volunteer. One flew in from Bristol Bay for a training session and says he will not leave until he goes out to learn capture techniques and how to save the mammals. But Alaska Natives cannot afford to volunteer their time, they must be paid. This only makes good economic sense as well as human sense. Alaska Natives live here, always have, always will, no matter what the economy does. We will spend our money here. We have families, mortgages or rent same as everyone except that many of us have lost our subsistence way of life and haven't been readily accepted into the cash-based society. I.C.E. has one man expected in from training in a week, his father is dying, he needs to pay his rent. Another trainee is finishing training in 10 days, he has 4 children and rent to pay. I went out as I.C.E.'s first trainee, it felt bad to be the only one in the Kenai Fiords area, 500 boats around me, and I was the only one not being paid for hazardous duty, as others bragged about to me, who are from Outside Alaska. I volunteered my service to F&W through I.C.E., I have volunteered all my time and effort for over two months to put I.C.E. into effect, as has our I.C.E. President, Mr. Fred Bahr. We cannot afford to volunteer either. Today we lost an exceptional Secretary, Office Manager because she could not afford to volunteer.

S.O.S.
SAVE OUR SEA OTTERS
P.O. Box [illegible]
Anchorage, Alaska [illegible]
SEND YOUR TAX - DEDUCTIBLE DONATIONS TODAY!

I.C.E. has been seeking [illegible] trainees to become part of the ERT. They will volunteer but it is a hindrance. We at I.C.E. have made it a commitment to save more sea otters. Paying our Alaska Native trainees is a major objective for this operation to succeed. We need your assistance in identifying any funding for an emergency situation. We realize this hasn't been Federalized but there are certain Federal laws that prohibit depletion of stocks of wildlife, most important to I.C.E. is the Marine Mammal Protection Act. We have heard of the Environmental Defense Fund and wonder if this or any money can be made available on an emergency basis.

"10,000 to 20,000 sea otters are estimated to have died", stated T.A. Gornall, III, DMV, head veterinarian at the Seward Otter Center. He also states that "thousands more are going to die." The PR effort is ongoing, on tonights Anchorage ABC station, Channel 13 reported 700 otters died as a result of the oil & that this phase of the operation may be shut down in two weeks. They also said that "smart resources are needed, untrained crews are not effective. Alaska needs better trained, on-site crews." This is I.C.E.'s goal, yet to date, we have a program that is working, but has no funding. I.C.E. must impress upon someone how serious this disaster truly is. We must find someone that can understand the emergency that exists.

We find it imperative that quick action be taken to accomplish saving more marine mammals than currently are being saved. Another 17,000 are in peril today. How can we ask the Department of Defense or the Air Force to support this effort with helicopters, boats,- airplanes, food supplies, housing, communication systems and field First Aid Units including technical expertise coupled with our traditional knowledge of the impacted environment and knowledge of marine mammals and boats, tides, currents, and the weather because this is their home territory. This cooperative effort with DOD could show the world that America truly supports its indigenous Alaska Natives in our effort to save what we can. Everything is dying, boatloads of tons of dead birds, by the hundreds of thousands; Eagles are dying by the hundreds. Deers, bears, whales, fish, seals, sea-lions, pups ALL ARE DYING, EVERYTHING IS DYING FOR 700+ MILES where the oil has hit.

Any help you can provide will be greatly appreciated. Please distribute to your colleagues in both the Senate and the House. Please respond as soon as possible. Maybe Mr. Roy Jones, aide to Representative Morris Udall, who we have been in contact with could provide assistance in the house side.

Kindest Regards,
Tosha Galaktionoff
Tosha Galaktionoff,
Sec/Treasurer, I.C.E.
Subsistence User

P.S.

Are we on the agenda? If not we request 10 minutes; 5 minutes to show on-site footage plus a 5 minute presentation supplemented with written testimony. Please send a copy of your agenda.

CC: President & Mrs. George Bush

Alaska Congressional Delegation

Representative Morris Udall

Representative George Miller

Representative Mel Levine ✓

I.C.E. Executive Board

I. C. E.

Indigenous Conservators of the Environment

501 W. International Airport Road, Ste. 34-36
Anchorage, Alaska 99518

(907) 563-4777
Fax (907) 563-7277

May 16, 1989

Dear Village Council President,

I.C.E. would like to thank-you in advance for taking the time to read the information in this packet. The Indigenous Conservators of the Environment is a non-profit, tribal, tax-exempt, environmental organization started after the Exxon Valdez oil spill in order to protect, preserve and enhance marine life and to promote Alaska Natives rights and interests in environmental issues and other issues of importance to the Native Community. I.C.E. also formed in order to provide information, education, and training to Alaska Natives in relation to their environment. We would also like to encourage Alaska Natives to exchange information and ideas that contribute toward improved management of marine mammals and other environmental issues.

I.C.E. would hope that your council members look through the information provided and if interested in further information, to please call our offices. Currently, I.C.E.'s main emphasis is in the "Save Our Sea Otter" project.(S.O.S.)

The U.S. Fish & Wildlife Service has signed an agreement with I.C.E. (see attachment 2) to provide training to members of I.C.E. in capturing oiled sea otters. Presently I.C.E. has sent out 10 Alaska Native Sea Otter handler trainees with more requests daily from Fish & Wildlife Service. In addition I.C.E. has 20 training slots open at the Seward Sea Otter Rescue and Cleaning Center. We are working on providing housing in Seward for those that want to train in cleaning otters. I.C.E. is training these affected village members to become a part of an Alaska Native Emergency Response Team (ERT) in the event of another oil spill and to more immediately put our Alaska Natives to work training as experts. On May 18, 1989 Fish & Wildlife is holding its first Anchorage Training Session at the I.C.E. offices. We are in cooperation with Fish & Wildlife in order to prepare over 200 Alaska Natives in all phases of the rescue and rehabilitation of our wildlife and mammals.

S. O. S.
SAVE OUR SEA OTTERS
P.O. Box 240707
Anchorage, Alaska 99524
SEND YOUR TAX - DEDUCTIBLE DONATIONS TODAY!

I.C.E. is seeking your support in the form of reviewing the enclosed resolution for possible passage through your council, we are also enclosing membership forms so that individual members of your area can sign up for free. We would also like for you to pass along our information to anyone who might be interested in training in any of these phases of rescue, and we are working towards rescuing seal and sea-lion pups. We are trying to offer an hour long biology class 3 times a week in the Seward or Valdez centers so that those trained can identify oil contaminated sea mammals organs. In all, I can tell you that this organization is growing daily, the people working with us, and through I.C.E. share the same excitement at our goals and objectives. Alaska Natives must be further prepared should there be another oil spill, we must stand ready to act immediately to gear up to save what we have for centuries saved. In closing, please feel free to call our offices at any time should you have further questions.

Most Sincerely,

Fred Bahr

Fred Bahr, President
I.C.E.

FB/tg

Attention Hunters

Marine Mammal Parts Must Now Be Tagged

for

Walrus

Polar Bear

Sea Otter

A new regulation under the Marine Mammal Protection Act requires that all walrus tusks, polar bear hides and skulls, and sea otter hides and skulls that are taken by Alaska Coastal Natives for subsistence and handicraft purposes be marked and tagged by a local representative of the U.S. Fish & Wildlife Service.

When? STARTING OCTOBER 26, 1988.

Who?

Alaska Natives (Indians, Aleuts and Eskimos) residing in Alaska and dwelling along the coast of the North Pacific or Arctic Oceans will have 30 days after killing or finding these mammals to have the specified parts marked and tagged.

Why?

To collect information from the harvest that will help ensure the long-term survival of these marine mammals. The new regulation will also help in controlling the illegal take, trade and transport of these marine mammal parts.

What Parts?

Walrus tusks, polar bear hides and skulls, and sea otter hides and skulls must be marked and tagged. By May 1989 all raw unaltered specified parts already in possession that were taken before this regulation became effective must also be tagged.

Where?

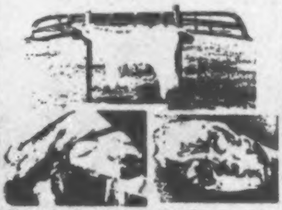
A local representative with authority to mark and tag parts in or near your village is listed at the bottom of the page.

How Ivory, Skins & Skulls Must Be Tagged

Walrus

Walrus tusks must be tagged with a lead-headed wire tag attached through a small hole drilled in the root. The tag must stay on the tusk until it is handcrafted. An ultraviolet light reflecting mark will be applied full length to the front and back of each tusk.

Polar Bear



The polar bear hide and skull must each have a plastic nylon tag permanently attached. The tag must stay with the hide through the tanning process and until the hide is cut up and used for Native handicraft purposes.

Sea Otter

The sea otter hide and skull must each have a plastic nylon tag permanently attached. The tag must stay with the hide through the tanning process and until the hide is cut up and used.

For more information call:

WELLS M. STEPHENSEN
U.S.F.W.S. Representative in Anchorage
Phone: 786-3306

or

____
Local Tagging Official and Phone

____
Village

Marine Mammals Management

Summary of the Marking, Tagging and Reporting Rule

The U.S. Fish and Wildlife Service (Service) is amending 50 CFR Part 18 to establish marking, tagging and reporting regulations as authorized under Section 109(i) of the Marine Mammal Protection Act (Act) of 1972 as amended. This action implements a 1981 amendment to the Act and will assist the Service in monitoring the subsistence and handicraft harvest of polar bear, walrus and sea otter, and in obtaining essential biological data needed to manage these species or stocks. The action will also help control the illegal take, trade, and transport of specified raw marine mammal parts.

The final rule was published in the Federal Register on June 28, 1988. After an implementation period of 120 days, the new rule will become mandatory, and on October 26, 1988, the marking, tagging and reporting program will become effective. During this period, local Natives (as often as practical) will be hired and trained, and the necessary kits and supplies will be purchased and distributed to the local tagging employees. Kits will be furnished by the U.S. Fish and Wildlife Service, and training will be conducted by the coordinator of the program. The taggers will use an approved color coded, numbered, locking plastic tag that will be attached to each hide and skull of the polar bears and sea otters presented for tagging. Walrus ivory will be removed from the noseplate, and a lead headed wire tag will be attached through a small hole drilled in the root area. Also, a custom ultra-violet reflecting light marker will be applied to the anterior and posterior surface of each tusk.

The provided reporting forms will be used to collect information regarding species, age, sex, location of kill or find, and in the case of walrus ivory, the condition of take, including shot and immediately retrieved, floating dead, or washed up on the beach. Fossilized ivory is not regulated nor addressed in this rule and thus is not required to be presented for marking and tagging.

After the implementation period there will be a 180 day period in which all stocks of raw, unaltered specified parts in the possession of hunters, registered agents and tanneries will be marked and tagged. Also, upon completion of the implementation period and thereafter, Native hunters will have 30 days from date of kill or acquisition to present all harvested specified parts for marking, tagging and reporting to a local tagging representative. Skins and skulls may be frozen or thawed, but skulls must be separated from the hides. Failure of the Native hunters or owners and registered agents or tanneries to comply with the new rule could result in civil penalties not to exceed $10,000 for each infraction. Information obtained from the new program will be published for public review in the U.S. Fish and Wildlife Service Region 7 Annual Report.

Guidelines for capturing and handling sea otters:

Capture of live sea otters should be attempted only by persons who have worked with people previously experienced in sea otter capture and handling. Trainees should have had hands-on experience with observation, capture, and handling of live sea otters in the field before they are certified as capture personnel. Sea otter capture typically is done with a large, salmon-type dipnet, or with gillnets that have been modified for otter capture. Capture with gillnets is labor-intensive, and is relatively risky (both for the otters and the capture personnel) in rough seas or poor weather. Use of gillnets to capture sea otters should be done only in the presence of experienced personnel.

Selecting otters for capture:

1. Animals hauled out on rocks or beaches:

   Hauling out is normal behavior for sea otters throughout Alaska. An otter resting on a rock or beach is not necessarily in distress. Otters with obviously matted fur or that show signs of lethargy or restricted mobility should be considered for capture.

2. Animals in the water:

   Sea otters have many complicated behaviors associated with grooming, feeding, and mating. Common behaviors include rolling, somersaulting, repeated shallow diving, blowing of bubbles, and intensive rubbing and working of the fur with the mouth, forepaws, and hind flippers. These behaviors may be misinterpreted as indicators of stress by inexperienced observers. Healthy sea otter fur can be recognized by the characteristic "beading" or rapid "wicking away" of water when the animal is on the surface.

   Sea otters in the water should be considered for capture if the fur retains a slick, wet appearance even after the animal has been on the surface for 10 seconds or more. Other signs of possible oiling include frequent head shaking (like a dog shakes its head after a swim), obvious shivering, tolerance of close approach by a boat, lethargy, or obvious emaciation. However, none of the above are certain indicators that the animal is in fact oiled. For example, occasional head shaking is common among healthy animals, and healthy young animals and adult males often will tolerate close approach by boat.

   If a sea otter keeps its distance from an approaching boat and appears alert to the presence of the boat, it is probably in relatively good condition and should not be pursued.

   Sea otter pups frequently are quite vocal, and their high-pitched calls are easily mistaken for signals of distress. A mother-pup pair should never be pursued simply because the pup is vocalizing frequently. Newborn pups may move relatively little, and may be mistakenly categorized as lethargic or dead by inexperienced observers. The fur of pups often is lighter in color than adult fur. Natural clean fur on pups may resemble the chocolate-brown color of weathered oil. In addition, it is common for mothers and pups to become temporarily separated while the mother dives for food. In such cases the pup often vocalizes frequently. Thus, apparently abandoned pups should be watched from a distance for at least 15-20 minutes before any decision is made to attempt capture. Mother-pup pairs should be approached by boat with the intent to capture only if there is clear evidence of oiling or severe distress (such as shivering or obviously matted fur).

Handling sea otters after capture:

1. General precautions:

Sea otters are powerful, aggressive, dangerous animals when in captivity. Their strength, quickness, and determination should never be underestimated. Their jaws are particularly powerful, and are quite capable of crushing human hand and finger bones. Their forelimbs and forepaws are also surprisingly strong and dextrous, and can grasp and pull a human hand or arm with surprising strength and quickness. Although quite endearing in their natural habitat, sea otters must be regarded as dangerous in any sort of confining captive situation.

When handling a sea otter in any kind of net, restraining box, or sky kennel, the head of the animal should be watched constantly. It is essential to concentrate on movements of the otter's head when involved in any handling procedure which brings any part of the handler's body close to the otter.

A large salmon-type dipnet should be available whenever handling captive sea otters. Dipnets allow relatively easy recapture should a captive otter escape confinement while on a boat deck or beach. If an escape occurs, it is important to remain calm, concentrate on the animal's movements, and have the dipnet on hand. Should a captive otter escape onto a boat deck, it is not necessary to bail out. Captive otters usually are disoriented in such circumstances, and can be readily recaptured with a dipnet, as long as the response is not delayed. Handlers should be alert to the possibility of exceptions.

It is very dangerous for inexperienced persons to attempt to grasp a live sea otter directly with the hands. Sea otters have flexible bodies and very loose skin, and can easily turn toward and bite hands or arms, even if the grip seems quite sure.

A sea otter should never be grabbed by the nape of the neck, or by the tail. Serious injury to the otter or the handler could result.

2. Initial handling after capture:

Sea otters that have been dipnetted should be placed immediately into the capture box (see below). Otters captured in tangle nets should be placed in the capture box while still in the tangle net. Netting can be cut away from the rear end of the otter, allowing it to slide free into the box. A dipnet and, if available, a bite bag (stuff bag for sleeping bag, filled tightly with foam rubber), should be on hand during the procedure.

If net bags are available, the capture box should be lined with an open net bag before putting the otter into the capture box. Once the otter enters the box, the net bag should be immediately pursed and the lid (if present) of the box closed. If net bags are not available, the otter should be placed directly into the capture box, and the lid immediately closed. A bite bag should be used to keep the otter in the box if there is no lid and no net bag.

Once the otter is secured in the capture box, it should be transported as soon as possible to the main boat for tagging and transfer to a sky kennel. If transport time exceeds half an hour and the otter is in a net bag, the otter should be removed and held over the side in the water for about 5 minutes. This should be repeated at half-hour intervals if extended transport in the skiff is required.

3. Tagging:

Sea otters should receive a single flipper tag prior to transfer to the appropriate rehabilitation center. Position and color of tags will be determined by an FWS representative.

Tagging should be done while the otter is in the capture box, preferably while in a net bag. The otter should be restrained with a bite bag while the appropriate flipper is pulled up to a workable location on the edge of the capture box. The tagging hole can be cut with a narrow-bladed pocket knife, a single-hole paper punch, or a leather punch. The cutting implement should be as clean as possible (preferably swabbed with alcohol) prior to cutting the hole. If the flipper feels warm to the touch, ice should be applied prior to cutting, in order to reduce bleeding. The tag should be inserted narrow end first, then pushed through so that the separated ends of the tag are at the trailing edge of the flipper. If possible, the separate ends of the tag should be secured with a small screw after tag insertion. A screw should be used only if the tag has a pre-drilled hole. It is crucial that the color, number, and position of the tag be recorded on the appropriate data sheet.

4. Placing sea otters in sky kennels:

If possible, sky kennels should have metal grates on the floor, such that there is space for urine and feces to collect without soiling the otter's fur. If grates are not available, place towels or rags in the kennel to absorb waste. Do not use oil sorbant pads; they do not handle urine or feces well. Otters in kennels should not be doused with water, even if the fur is soiled with urine or feces. Oiled otters are likely to be hypothermic, and dousing may only make matters worse.

If the otter is in a net bag, it should be lowered into the kennel (held in vertical position, door end up) while still in the bag. The bag should be manipulated so that the bag openning is down, the purse line released, and the bag pulled upward so that the otter falls free into the kennel.

If the capture box is equipped with a sliding door in one end, the sky kennel (with door open) should be placed against the sliding door. The sliding door can then be openned, allowing the otter to crawl into the kennel.

If the capture box does not have a sliding door, and the otter is not in a net bag, the otter should be returned to a dipnet before transfer to a kennel. To transfer, tilt the kennel at about a 45 degree angle, with the door open as far as possible. Hold the frame of the dipnet flush against the door end of the kennel, such that the frame of the net is firmly against the lower edge of the door frame, and the door is entirely covered by the net. If there is a gap between the net frame and the door frame, it is likely that the otter will slip through the gap and fall free. Once the net frame and kennel are in position, do the following in a continuous motion: Grab the bottom of the net well away from the otter's head, and swing the otter upward above the kennel door, allowing the otter to fall through the door and into the kennel. Judicious use of a foot may be of help, especially if the otter gets hung up at the kennel door. If the otter doesn't drop into the kennel within a few seconds, lower it down and try again. Once the otter is in the kennel, pull the dipnet away and close and latch the kennel door. The procedure is best done with at least three people: One to hold the kennel, one to hold the net frame in position, and one to move the otter.

If desired, the kennel door can be removed before transfer. Door removal reduces the risk of entangling the dipnet on the door catches. Remove the door by removing just enough kennel bolts to allow springing of the kennel frame. Make sure that the kennel is held in vertical position (door openning up) once the otter is in. The door should be replaced as soon as the otter is in the kennel. Watch fingers while replacing the door. A bite bag should be close at hand if door removal is done.

It is crucial that all capture records and related data forms be completed once the otter is secured in the sky kennel.

5. Holding an otter in a sky kennel:

The kennel should be held horizontally whenever possible. Accumulated water and urine can be drained by briefly standing the kennel on end, door down, to allow drainage.

Kennels should be placed under shelter to prevent wetting from rain or snow. However, it is crucial to maintain good ventilation. Kennels should be kept in a cool location, and should not be covered with blankets or towels.

Sea otters must have access to drinking water. An otter that is panting and appears frantic to escape from a kennel likely is in dire need of water, and requires an immediate response. They can handle either sea water or fresh water. The best way to deal with water needs is to provide clean chunks of ice or snow. Avoid placing so much snow or ice in the kennel that the otter is forced to lay on it. Accumulated ice water should be drained regularly as described above.

If the kennel is not equipped with a grate, towels or rags used to absorb waste should be changed frequently. To change towels, stand the kennel on end (door up), open the door, remove towels using a stick with a hook on the end, drop new towels in, close the door, and return the kennel to horizontal. Do not attempt to remove towels with hands. Have a dipnet available whenever the kennel door is open.

6. Transportation of otters in kennels:

If transportation is by aircraft or boat, the kennel should be secured to the floor in horizontal position with cargo webbing or straps. Ventilation of the kennels must not be obstructed, and ice should be available onboard for the otter.

If it is absolutely necessary to transport kennels in tilted position, the door end should be tilted upward. The kennel should be returned to horizontal position as soon as possible after arrival.

If delays are encountered enroute, the kennel must be placed in a cool, well-ventilated location that is sheltered from rain or snow.

7. Feeding of sea otters in kennels:

If transportation delays force extended (overnight) holding of a sea otter in a kennel, food should be offered at approximately 2 hour intervals. Preferred foods are geoduck clam meat, fish filets, or whole squid. Crab should be avoided because of excessive debris after feeding.

Food that has been thawed over 24 hrs is not suitable for sea otters. All food should be refrigerated or stored on ice. Food need not be fully thawed before feeding to otters.

It is crucial to avoid overfeeding. Otters should be offered two or three pieces of food at each feeding. Captive otters are prone to gorging. Under the stressful circumstances of capture and holding, gorging can produce serious medical problems for otters.

Authorization for capture of sea otters

This certifies that the person identified below is sanctioned by the U.S. Fish and Wildlife Service (FWS) to capture sea otters in coastal Alaskan waters as part of the effort to rescue otters affected by the *Exxon Valdez* oil spill. The person authorized by this document has worked with an FWS employee, named below, and has gained specific experience, in the field, in the following areas:

1. Observation of sea otter behavior, with emphasis on identification of behaviors which indicate that a sea otter has been oiled, is in distress, and is in need of rescue, treatment, and rehabilitation.

2. Use of gear appropriate for capture of wild sea otters, including dipnets and tangle nets.

3. Use of gear appropriate for restraining, holding, tagging, and transporting captive wild sea otters, including capture boxes, bite bags, net bags, dipnets, and sky kennels.

4. Techniques for care and husbandry of captive wild sea otters during holding and transportation, including feeding, watering, sanitation, and temperature regulation.

5. Completion of data forms associated with capture, holding, and transport of captive wild sea otters.

6. Necessary safety practices associated with the capture, holding, and transport of captive wild sea otters.

The person authorized by this document to capture sea otters recognizes that the capture, holding, and transport of sea otters is hazardous work, and that stringent adherence to appropriate safety precautions is essential in minimizing risks associated with this work.

Person authorized for sea otter capture:

Signature:

Name (print):

Date:

Authorizing FWS person:

Signature:

Name (print):

Date:

I. C. E.
Indigenous Conservators of the Environment

501 W. International Airport Road, Ste. 34-36
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NORTON SOUND HEALTH CORPORATION

Written Testimony

For

SENATE SELECT COMMITTEE HEARING

Senator Daniel K. Inouye

Prepared By:

Pauk King, Director

Northern Lights Recovery Center

Nome, Alaska

Alcohol and other drug abuse is the number one health problem in Alaska. "Accidents are the number one cause of Native mortality...three times the national average." "A significant portion of Native accidential deaths result from alcohol related violence"(AFN report to the Legislature). And yet, for the past several years there has been a continuous and significant decline in state funding for alcohol and drug abuse programs.

We are here representing the Northern Lights Recovery Center and Norton Sound Health Corporation. Northern Lights is a comprehensive substance abuse program. It includes the following components: twelve bed residential care, outpatient, aftercare, and education/prevention. We also operate the Alcohol Safety Action Project, Village Representative Program and Inmate Substance Abuse Program.

Our Philosphy of treatment encompasses a 12 Step oriented, Hazeldon Therapeutic modality, as well as incorporating Yupik and Inupiat culturally traditional methods of healing and growth.

Staff positions have been cut as a result of the decline in State funding. This creates a situation where the remaining staff are continuously trying to provide the previous level of service, which in turn leads to burnout and high staff turnover.

The Northern Lights Intermediate component is operating at approximately 80% capacity. At present funding levels, this allows only one intermediate counselor for a twelve bed facility.

This means the outpatient and aftercare counselors have to pick up some intermediate clients in addition to a full case load in their own components. If monies in FY90 are not restored to pre 1986 levels the program will have no option other than to cut services.

The administration of the program is similarly effected trying to maintain services with steadily declining budgets and overworked staff. As a result there has been an extremely high administrative turnover which profoundly impacts the program. The continuity of the program is always in a state of flux.

With many combined years of providing Substance Abuse Services in rural Alaska, the staff and administration of Northern Lights Recovery Center is in agreement that in additiion to standard 12 step and Hazeldon treatment approaches there is a need to provide culturally specific methods of breaking the cycle of alcoholism and drug abuse in Alaska. 97% of those utilizing the services of Northern Lights Recovery Center are native.

We are seeing a younger population every year with a steady increase of polydrug abusers. Typically a young native male or female that is diagnosed as suffering from middle to late stage alcoholism with a history of marijuana and cocaine use and/or abuse.

The program actively seeks participation and discussion from Elders and other native community members. With their input and direction the program is now involved in a community effort to establish a spirit camp in the Bering Straits Region. The Native

Corporation, Sitnasauk, has donated a parcel of land in East Nook for the site. There is a groundswell of community participation and donations for the spirit camp, or fish camp idea.

A substance abuse program has to be responsive to the needs of those it serves. People of various cultures have different ways of seeing themselves in relation to other people and to their physical environment. One of the many cultural differences impacting delivery of substance abuse services in our area is the traditional native orientation towards experiencing themselves as members of an extended family or community. Their interaction and their role in the extended family is basic to how they experience themselves as people. A culturally specific program would promote through traditional Native methods an awareness on the clients part as to how chemical use has damaged or destroyed their relationship with their extended family and community. Through abstinence and a supportive program for recovery they can heal themselves and again become a functioning member of the extended family.

Community involvement and participation is essential to the recovery process. The itinerant method of providing mental health and substance abuse services to the villages in rural Alaska is not working. This is well documented in the "Healing for All" final report by the Alaska Native Health Board.

Native people have become leary of the typical white professional that visits their village, all to infrequently, and proposes to show them how they can stop the alcoholism with methods derived from the dominent culture.

It is a set up for failure for both the village people and the counselor. A strong emphasis needs to be placed on developing village ownership of the alcoholism problems, and village involvement in the therapeutic solutions. Most of the community development successes in rural Alaska have as a major component a return to traditional methods of healing. This is not to say that AA and 12 step oriented treatment modalities do not have a place in rural Alaska. Many villages have great success with the 12 step program. Yet the AA groups that seem to florish are those that were started by village residents themselves and have been modified to reflect the culture in which they are taking place.

The Alaska Native Village Alcohol and Other Drug Abuse Survey found that "72% of the people who responded said their villages are not getting enough help as far as alcohol and other drug abuse is concerned." "A large number, 87% of the respondents said they would like to see more programs available in their villages."

There are fifteen villages in addition to the City of Nome in the Northern Lights Recovery Center catchment area. We try to provide a full range of services to the residents of these villages. We have a Village Representative Program run by the Village Coordinator. Nine Village Representatives have been hired. The selection, hiring, and job description of the Village Representatives involves the Village Coordinator, Village Council members, and the school prinicipal. The Village Representatives then provide, on a part time basis, education/prevention, outreach, and referral services for their village.

A top concern identified in the Alaska Native Village Alcohol and other Drug Abuse Survey is the need for community involvement/ ownership of services, and the need for village based programs. Northern Lights Recovery Center fully supports efforts towards providing training and support to expand the community development model to all regions. There is an enormous need for funds to train these para-professional counselors. In a dysfunctional community due to chemical abuse and its related problems, these para-professional Native Counselors are often misunderstood, isolated, and a prime target for burnout and resignatiion, or worse. The Counselor needs to be constantly reinforced and trained in counseling techniques. Funding levels are such that this kind of training rarely takes place. Training funds for all staff at Northern Lights Recovery Center, but most importantly Native staff, are totally inadequate. One essential long term requisite in developing healthy lifestyles in rural Alaska is the ownership of the health field jobs by Alaska Natives. Training and continuing education funds are usually the first to go in times of budget cuts. More emphasis and funds need to be allocated towards the training, certification and continuing education of local Native people.

We at Northern Lights Recovery Center believe that it is becoming steadily more unrealistic to continue to address only the issues of chemical use and abuse. According to the A.F.N. Report on the Status of Alaska Natives, "Change in rural villages has been so rapid and so profound during the past few decades that many Native people have been personally overwhelmed by a world of conflicting values." The A.F.N. report cites, "In 1950, six Native suicides were reported. In 1985 suicide was the fourth most common cause of Native mortality. The current Native suicide rate is four times the national average: for woman 20 - 24 years old, five times; for men 20 - 24 years old, fourteen times. Rates are not predicted to diminish." 75% of these suicides are alcohol related.

A synergetic approach, involving alcoholism, mental health, and government professionals working cooperatively with Native Leaders and Native Councils will ultimately start to reverse some of these dismal statistics. Our philosophy adheres to alcoholism as a disease concept, yet it is becoming increasingly evident that in rural Alaska other mental health and social problems contribute heavily to the development of alcoholism for most Alaska Natives.

Long term solutions to alcohol and other drug abuse will only come about if education/prevention efforts receive priority attention and funding. The Northern Lights Recovery Center Village Program has only one full time prevention position and this position is responsible for all fifteen villages.

Nome has been without a single substance abuse prevention/education position until two months age, when a half time position was created. This is insufficient funding for a component that has the potential to ultimately turn the tide on alcoholism and other drug abuse.

The most common concern cited by rural provides and programs staff in the Alaska Native Health Board Survey was, "Youth Specific Services." Facilities and programs for youth in the Bering Straits Region are almost non-existent. Our Prevention Coordinator holds a weekly youth group in Nome outside of his regular job duties in the villages. If not for that group there would be no substance abuse services for the youth of Nome. Adolescent Substance abuse services for the youth of the Bering Straits Region has to be a number one funding priority.

Another area that needs increased attention is the prevention of Fetal Alcohol Syndrome. According to the A.F.N. report to the Legislature, "Fetal Alcohol Syndrome is the leading cause of Native birth defects and Native mental retardation, and the Native F.A.S. rate is more that twice the national average." Due to funding constraints, Northern Lights Recovery Center has been unable to provide adequate F.A.S. education in the villages and Nome. Current prevention staff are spread much to thin, therefore issues being addressed have to be prioritized, and whole target populations such as pregnant and post-partum women are neglected. Again, staff feel, and rightly so, that F.A.S. has to be addressed so they take on prevention activities as well as a full case load and more often that not burnout trying to accomplish too much.

Another priority for Northern Lights Recovery Center is the incorporation of family treatment.

Involving the whole family in treatment results in rapid and long lasting recovery. The whole family, not just the abuser recovers. A supportive family environment is a foundation upon which a quality, long lasting recovery can occur. Due to budget constraints, Northern Lights Recovery Center is lacking a family counselor posiiton. Currently treatment and administrative staff are attempting to provide family counseling to the residents in our catchment area. Again, staff are spread to thin, yet family counseling is vital to the overall recovery process and cannot be ignored.

The Northern Lights Recovery Center is moving toward a more holistic, culturally specific, Native operated treatment program. We support and encourage the community development process. The villages in our catchment area have to participate in the ownership of the recovery process for a lasting, healthful change to take place. We are attempting to assess and resolve interelated health and social conflicts in conjunction with substance abuse treatment issues. This demands a high degree of cooperation among health and social service providers in our catchment area. Education/prevention efforts in our region are severely underfunded, with youth services and F.A.S. prevention heading the list of needs. Family involvment in the therapeutic process is also essential for clients of the Northern Lights Recovery Center program, but current funding levels do not allow a family therapist position for the program.

Numerous needs assessments throughout rural Alaska indicate that alcoholism is the number one health and social problem facing Alaska's people today. The time is now for a concerted, well funded effort aimed at eradicating the costly consequences of substance abuse in rural Alaska.

nome eskimo community
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P.O. BOX 401
NOME, ALASKA 99762

MAY 27, 1989

HEARING BEFORE THE
SELECT COMMITTEE ON INDIAN AFFAIRS
on
THE STATUS OF ALASKA NATIVES

Honorable Senator Daniel K. Inouye, Chairman of the Senate Select Committee on Indian Affairs.

My name is Perry T. Mendenhall, Chairman of the Nome Eskimo Community IRA Tribal Council at Nome, Alaska.

Nome Eskimo Community duly supports many of the testimonies and concerns you have heard today; and we want to address issues or problems before this special committee, with the understanding that they may be resolved through this hearing so that the status of Alaska Natives would be improved in areas of health, social, education, economics, goverance, subsistence, cultural and tribal affairs.

Many changes and events have taken place in the past 20 years, and the pace of these "changes" is speeding up to where Alaska Natives are feeling the frustration of being left behind in the 20th century. Just as soon as we learn a given political process or bureaucratic system, be it the Bureau of Indian Affairs bureaucracy, state or university education process, or attain a given job skill level, such requirements for programs, formal schooing or employment change where Alaska Natives again have "shortcomings" as a people.

Examples in education are:

EDUCATIONAL REQUIREMENT CHANGE:

State colleges now require that a high school graduate must have completed three years of high school math: two years of Algebra and one year of geometry, and three years of science, one with lab, before they could enter into any baccalaureate program come 1990.

The State Universities are not attracting and producing teachers fast enough or competent enough to teach the above high school math and science courses for many of the "small highs school programs" in rural Alaska. On the national level, good math and science teachers are also lacking to fill their schools in the lower 48; and industry is also competing for these same type of teachers to work for them. The small rural high school programs do not have the capabilities to attract or hold the strong competent math/science instructors needed to prepare their high school graduates to meet the new 1990 college requirements.

The importance of math/science courses are not generally emphasized enough while the rural Native students are going through their K-12 grade experience, as to how it applies to their life and future college or employment career. So they would tend to avoid such courses if at all possible. Then when they want to go to college to further themselves, they find that they will probably have to take more than one year of developmental math/science courses before entering into regular college courses. They will not receive credits for these developmental courses. The Alaska Native high school students will feel that they are being penalized for this NEW SHORTCOMING.

It should be noted that various teacher training workshops are being held by the universities to help rural teachers become more competent to teach the needed "math/science courses" for the small rural high school programs to deal with this shortcoming; and they are endeavoring to attract Natives to enter into math/science programs at the university level.

The need is greater now then these "catch-up programs" can handle. Hopefully the small high school programs will be able to offer the Math/Science course options to their Native students who want to further their education. Presently "honors" high schools are being considered for the "elite" college bound.

ROLE MODELS:

There is a need for Native professionals to serve in Alaska's schools and universities as educators and administrators, so that Native students could see Native educators working as role models.

The "Statistical Profile of the American Indian, Eskimo, and Aleut Populations for Alaska: 1980" report which was prepared by:

Racial Statistics Branch
Population Division
Bureau of the Census
Washington, D.C. 20233
September 1985

shows the "educational attainment" graphs of Alaska Natives to have improved "slightly" between 1970 and 1980, yet there is still room for improvements to increase this attainment.

The "Demographic Overview of Alaska" report, prepared by:

Edna Ehgeak MacLean
Special Assistant
Alaska Dept. of Education
August 26-27, 1988

shows that out of 6,372 teachers in Alaska, only 170 Alaska Natives and 43 American Indians serve as teachers. (July '88).

[THESE REPORTS ARE ATTACHED]

There is a need for special funds to be made available to Alaska school districts and universities (and tribal groups) so that "Native Teacher Training Programs" would be helped in meeting the affirmative action of the Native communities in the area of "teaching".

There is also a need for special funds for encouraging Alaska Natives to pursue and obtain a doctorate/PHD degree so they can work in Alaska colleges and universities. There are certain attempts in this area, but the need is much greater now then these small attempts and endeavors.

AFFIRMATIVE ACTION PROVISIONS:

There is a need for both school districts and universities' policy and contract language to state "Affirmative Action Provisions" which would encourage the ratio of Native professional hires comparable to Alaska's community populations, especially for Alaska Natives.

[Attached is Kawerak, Inc.'s resolution calling for this "affirmative action provision" for our two school districts].

The State of Alaska, universities and colleges, Native organizations/corporations, school boards, advisory school boards, and various parent committees do see the need for more Native professionals, and they have produced high school graduates to go on to colleges/universities to become these "professionals", so that they can serve their community from whence they came. There is a need for a enforcement of the affirmative action requirements for "Native hires" as professionals, once they have fulfilled the State certification requirements and degree requirements to become "teachers/educators".

These role models would give both Native and non-Native students a new look at Native professionals, showing that they can attain the academic competency and self-esteem when they apply themselves to their studies.

It should be noted that the largest employers in Rural Alaska are the school districts and rural education is a on-going multi-million dollar industry, and in most cases the major employer of a small village.

In order to meet the need for Native professionals in education, some school districts have:

1. Enacted policy and given funds to meet the affirmative action requirements for their district for the training of Native teachers. (Lower Kuskowkwin School District-LKSD).
2. Iditarod Area Schools is implementing a village school "teacher apprenticeship program" to increase their professional hire for their schools.
3. Others are granting leave-time and study-time for their paraprofessionals/college students working in their schools so they can earn college course credits toward a "teaching certificate". To help speed the process up, they have set up a "career ladder" for their paraprofessionals to up-grade themselves to the professional level as a regular classroom teacher, based on college course completion.

However, these school districts are the exception.

Even with the school districts doing their part to increase their Native professional hire, there is still a need for "Native Teacher Training Program Funds" to be made available to help Alaska produce Native teacher graduates to work in rural Alaska schools.

VOC TECH CENTERS:

Rural Alaska has the need for Voc-Tech Centers other than the Alaska Vocational Technical Center in Seward, Alaska and the Kotzebue Voc-Tech School. The VOC-TECH CENTERS should be in regions closer to the rural Alaska Natives' place of residency, and they should address the type of job skills that is most prevalent to that region. The Nome area is very heavy into mining, both off-shore and on-land, therefore by training local people for mining would ensure that both mining wages and service wages would booster the local economy. Fisheries is another economy to the Nome area that the VOC-TECH CENTER could address. Nome is also a regional service center for federal, state, Native and private agencies, which demands various job skills and services: office occupations, mechanics/operators, office professionals, mid-management, tourist services, clerks and other professions that should go to local people. This VOC-TECH CENTER should address these needs.

The lack of closer VOC-TECH CENTERS to the regions has put Alaska Natives into the unskilled labor market, which means that most of the local jobs go to people outside the region. Again we see the local state, federal and Native resources being taken with outside labor, due to our Alaska Natives not benefiting because lack of job training and skills - ANOTHER SHORTCOMING.

MAY 27, 1989, pg. 7
ALASKA NATIVE HEARING

The various organizations and individuals who have voiced their concerns, made comment and remarks to the fact that a special commission is needed to look into the status of Alaska Natives.

My fellow Nome Eskimo Community Council member, Mr. Darryl Trigg now presents the following comments, of which I support and submit to your Senate Select Committee on Indian Affairs, especially on the Status of Alaska Natives.

KAWERAK, INC.
P.O. BOX 948 • NOME, ALASKA 99762
(907) 443-5231

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RESOLUTION 89-16
of the Governing Body of
KAWERAK, INC.

A RESOLUTION CALLING FOR THE AFFIRMATIVE ACTION PROVISIONS for the Hiring of Alaska Native Educators.

WHEREAS, the State of Alaska sees the need for more Native professionals to work in their schools; and

WHEREAS, the state Universities and colleges have endeavored to attract and train competent Native educational professionals to work in Alaska's schools; and

WHEREAS, Native organizations, parents, and Elders have encouraged their graduating high school youth to become "teachers" so that they can teach in their own region/community; and

WHEREAS, school boards and educational committees have produced local high school graduates to go on to colleges and universities to become "professionals", so that they can serve their community from whence they came, in a profession they have chosen, especially as educators; and

WHEREAS, some districts have enacted policy to train Natives to become educators, especially Lower Kuskowkwin School District to meet Affirmative Action requirements; and

WHEREAS, Nome Public School district has a 76% Native enrollment and 6% Native professional hire, and Bering Straits School District has about 85% Native enrollment and about 13% Native professional hire; and

WHEREAS, there is a need for Native students to have more of their own people as professional role models in their schools; and

WHEREAS, there is a need for school district policy and contract language to state "Affirmative action provisions" which would encourage the ratio of Native professional hires comparable to the community's population, especially Alaska Natives; and

NOW THEREFORE BE IT RESOLVED, that Kawerak, Inc. urges Bering Straits School District and Nome Public School District, and other educational institutions, to include in both their school district policy and contract language "affirmative action provisions" which would encourage the ratio of Native professional educational hires comparable to the community's population.

____
CHAIRMAN OF THE BOARD

____
BOARD SECRETARY

Passed the _____day of __________________, 1989 at a duly convened meeting of the Kawerak Board of Directors, held at __________________, Alaska.

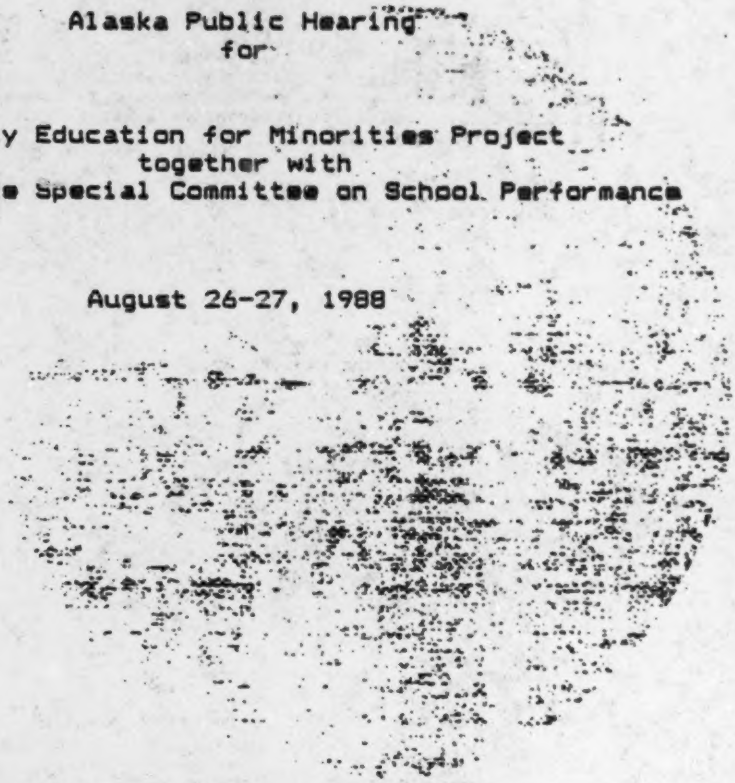
DEMOGRAPHIC OVERVIEW OF ALASKA

presented at

Alaska Public Hearing
for

Quality Education for Minorities Project
together with
Alaska Senate Special Committee on School Performance

August 26-27, 1988



Edna Ahgeak MacLean, Special Assistant
Rural and Native Education
Alaska Department of Education

Dr. Shirley M. McBay, qaukliuruaq Massachusetts Institute of Technolog-kut savaanganni Quality Education for Minorities Project-mun, tamatkualu allat savaqatingi, paglammigivsi. Quyarugut Alaskamun, Alaskam Inuuqqaangisa aimmiviannun, qaigavsi naalaktuagiaqlusi qanuq ilisagniq maani igligmagaan, aasiisuli qanuq suna anniqsuutauyuminaqtuaq ilisagnikun isummatigimmagaan inillakkuminagmagaan. Taamna savaaginiaqtaqsi nuimanapiagataqtuq uvaptignun Alaskam inunginnun.

Dr. Shirley M. McBay, Executive Director of Quality Education for Minorities Project, Massuchusetts Institute of Technology, and your colleagues, we are pleased and honored to welcome you to Alaska, the ancestral and contemporary home of Alaska's Native Peoples, to gain knowledge of Alaska's educational system, and to listen to recommendations on how the educational system may be improved.

Nunapta Pitquraliuqtaisa ilangat William L. Hensley, qaukliuruaq Alaska Senate Special Committee on School Performance-mun, Pitquraliuqataillu Johne Binkley, Ken Fanning, Jan Faiks, and Jim Duncan, savaaginiaqtaqsi tusaayugaaglusi qanuq Alaskam minguaqtugvingi igligmagaisa nuimanapiagatagmiuq. Ilisagummatiqaqlusi taaptumuuna piyummatiqagavsi quvianapiallaktuq.

Honorable Senator William L. Hensley, Chairman of the Alaska Senate Special Committee on School Performance, and Senators Johne Binkley, Ken Fanning, Jan Faiks, and Jim Duncan, the task that you have undertaken to gather public information and opinion concerning school performance in Alaska is timely and certainly appreciated by the Alaskan population.

This presentation by the Department of Education is primarily for our guests, and is intended as an introduction to our home before we begin the process of sharing information and thoughts.

The name of our state, Alaska, is an Aleut word meaning "mainland".

The Capital of Alaska is Juneau, located in Southeastern Alaska.

Alaska is one fifth the size of the 48 continental states; its land mass covers over 570,000 square miles.

It takes seven hours to get from Barrow to Juneau. One has to overnight in Anchorage or Juneau to reach Ketchikan. And it costs approximately a thousand dollars to go from Juneau to Barrow by commerical airline.

The population of Alaska, as of July 1, 1987, was 537,800.
There are 23 census areas. (see Appendix A)

The urban areas of Anchorage, Fairbanks, Juneau, and Ketchikan contain 64% of the total population, but only 2% of the total land area. Anchorage alone contains 43% of the state's population.

(insert figure Alaska Population Trends, 1945-46 to 1984-85)

Alaska's population growth from the end of World War II till 1952 was very rapid.

Year	Population	Average Annual Growth Rate %
1946	103,000	
1952	185,500	9.8%

From 1952 to 1973 population growth was much slower.

1952	185,500	
1973	336,400	2.8%

Then in 1973 to 1975 the oil pipeline activity boosted the annual rate of change to 6.6%;

1973	336,400	
1975	384,100	6.6%

then was followed by a sharp decline from 1976 to 1980.

1976	409,800	
1980	419,800	0.6%

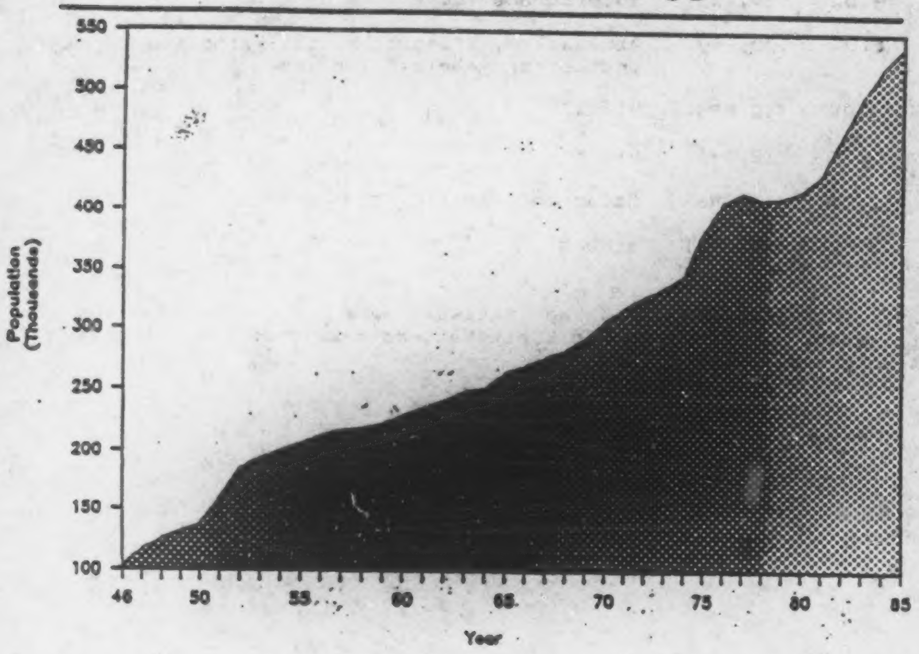
Beginning in mid-1980 there has been another sharp increase despite the economic downturn brought about by the fall in the value of oil.

3.5%

The average annual rate of change for the U.S. during the 1980 to 1985 period was 1% per year; whereas in Alaska the average annual rate of change was 3.3%.

For the period 1946 to 1987 the annual growth rate for the population of Alaska has been 4.0%.

Figure II.1
Alaska Population Trends, 1945-46 to 1984-85



(insert 1980 Population by Race)

In 1980, when the population of Alaska numbered 419,800. The composition of the population by race was

*	77.0%	(315,546)	White
*	9.0%	(37,782)	Inupiaq and Yupik
*	5.0%	(20,990)	Athabaskan, Tlingit, Haida, Tsimshian, Eyak and other American Indians
*	3.0%	(12,594)	Black
*	2.0%	(8,396)	Aleut
*	2.0%	(8,396)	Asian and Pacific Islanders
*	2.0%	(8,396)	others

Thus, collectively, Alaskan Natives made up 16% of the population, with Inupiaq and Yupik Eskimos making up the largest native group.

(insert figure of Growth of Alaskan Native Population)

The Alaska Native population has been increasing steadily from 1910, although as a percent of the total state population it has been decreasing since 1930.

The first census of Alaska in 1900, recorded 29,536 Alaska Natives.

In 1910, the number had dropped to 25,331 and the growth rate remained low for the next decade when the 1920 Census recorded 26,558 Alaska Natives. This lack of substantial increase in the population is probably the result of the death toll that german measles and the flu inflicted on the Native peoples.

In the decade from 1920 to 1930, the Alaska Native population grew by 3425 individuals; at that time, Alaska Natives made up 50% of the population.

From 1930 to 1940 the population increased by 2475 individuals.

From 1940 to 1950 the population increased by only 1405 individuals. This low number is probably attributable to the second wave of flu epidemics that claimed the lives of many Native Alaskans. This was also a time of substantial immigration of Caucasians to Alaska, so Natives as a proportion of the total population fell from 45% to 26%; we were now a decided minority in our own land.

Since 1950 the Alaska Native population has been increasing steadily. In the decade from 1950 to 1960, the population increased from 33,863 to 43,081.

The decade from 1960 to 1970 saw another big jump in the growth of the Alaska Native population from 43,081 to 50,654.

The last decade from 1970 to 1980 saw an increase of 13,449 individuals from 50,654 to 64,103.

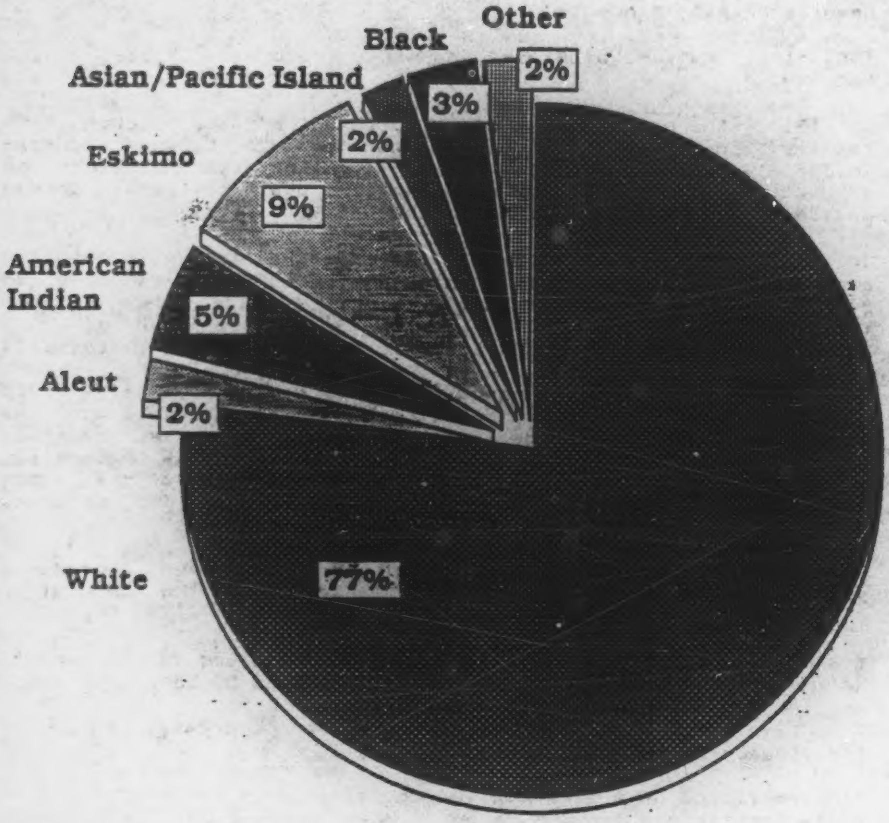
(insert figure of Alaska Native Population As A Percent of Total State Population)

The decade from 1970 to 1980 saw the Alaska Native population as a percent of the total state population remaining constant at 16% of the total.

Although the proportion of the Alaska Native population declined slightly in the first half of the 1980s, it is projected by the Alaska Department of Labor that as in-migration slows in the latter half of this decade, "the proportion of Alaska's population which is Alaska Native should again increase."

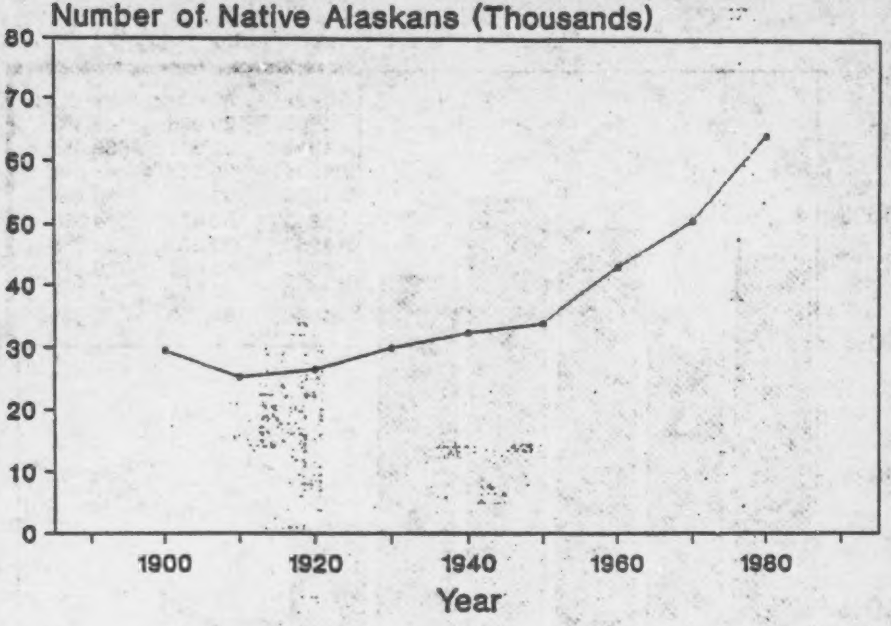
(see Appendix B for Mean Annual Population Growth Rate of Alaska Natives, 1900 - 1980.)

1980 POPULATION BY RACE, ALASKA

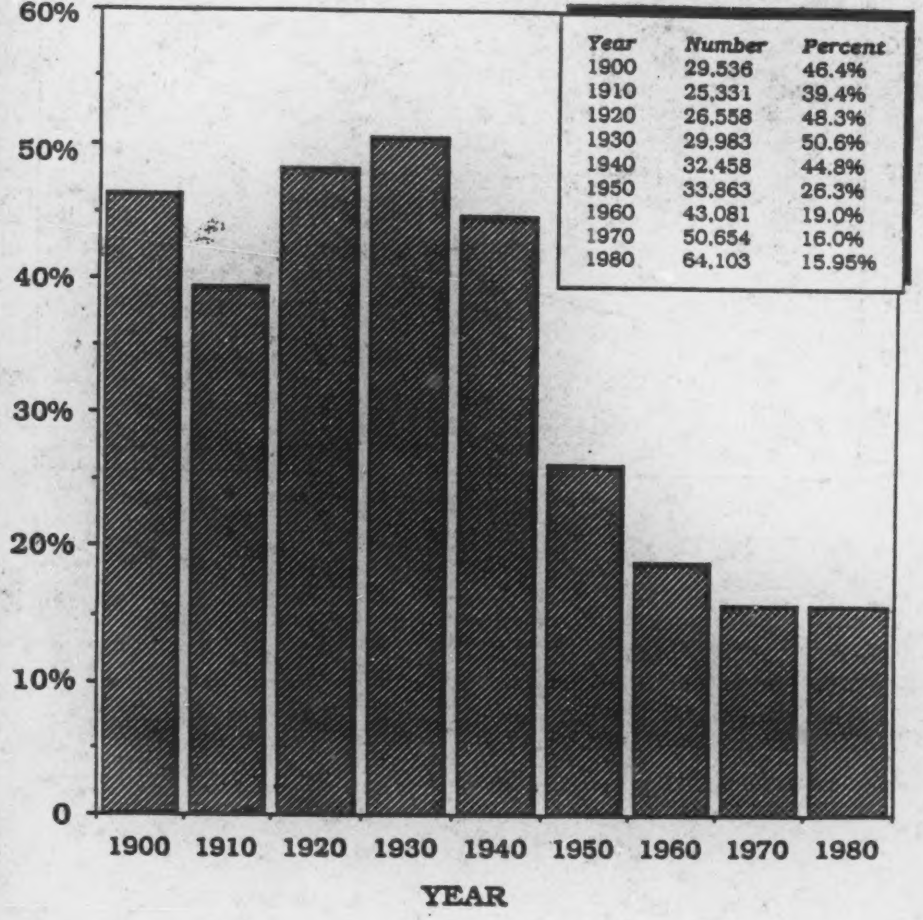


Source: U.S. Bureau of the Census, 1980

Growth of Alaskan Native Population



ALASKA NATIVE POPULATION AS A PERCENT OF TOTAL STATE POPULATION



Year	*Number*	*Percent*
1900	29,536	46.4%
1910	25,331	39.4%
1920	26,558	48.3%
1930	29,983	50.6%
1940	32,458	44.8%
1950	33,863	26.3%
1960	43,081	19.0%
1970	50,654	16.0%
1980	64,103	15.95%

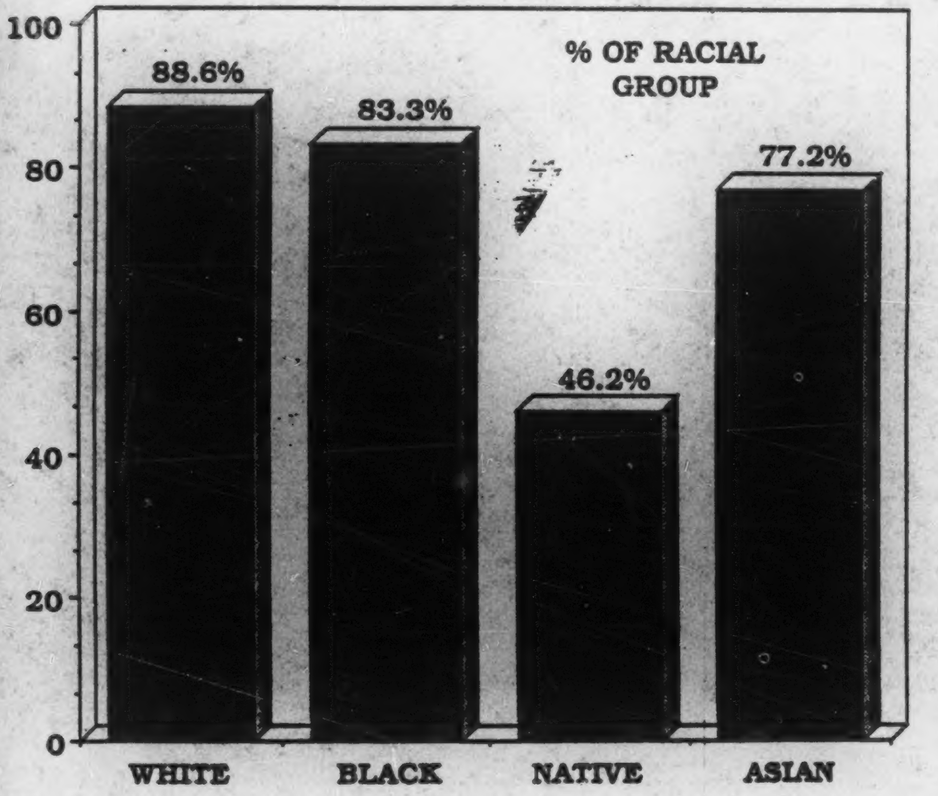
***Source:* U.S. Bureau of the Census, 1980**

(insert figure Alaska High School Graduates 25 Years and Older by Race)

In 1980, the proportion of the population 25 years or older that had graduated from high school was

* 88.6% of the White population
* 83.3% of the Black population
* 77.2% of the Asian population
* 46.2% of the Alaska Native population

ALASKA
HIGH SCHOOL GRADUATES
25 YEARS AND OLDER BY RACE



Source: U.S. Bureau of the Census, 1980

(insert figure Alaska Income of Families with Children Age 3-17 Enrolled in School)

In 1980

- 26% of Alaska Native families with children ages from 3 years to 17 years enrolled in school are below the poverty level.

- 6.9% of the White families with children ages from 3 years to 17 years enrolled in school are below the poverty level.

then

- 11.2% of total number of Alaskan families with children ages 3 years to 17 years enrolled in school are below the poverty level.

According to the Alaska Population Projections published by the Alaska Department of Labor in 1986, the high series population projections estimate the following numbers of preschool, elementary, middle, high school, and post-secondary age Alaskans for the year 1990 out of a total projected population of 607,030.

* 0 to 4 years:	61,318	(10%)
* 5 to 9 years:	54,574	(9%)
* 10 to 14 years:	43,648	(7.2%)
* 15 to 19 years:	41,064	(6.7%)
* 20 to 24 years:	51,305	(8.5%)
* 25 to 29 years:	64,350	(10.6%)
* 30 to 34 years:	68,843	(11.3%)

School age 5 - 17 year olds in Alaska by the year 1990 is projected to number 121,186, approximately 20% of the total population.

For Alaskan cities and boroughs in 1987, the cost of education per pupil was $6,076.

For the Regional Educational Attendance Areas, the cost of education per pupil was $11,159.

There are 55 school districts in Alaska.

32 of these are city and borough school districts.

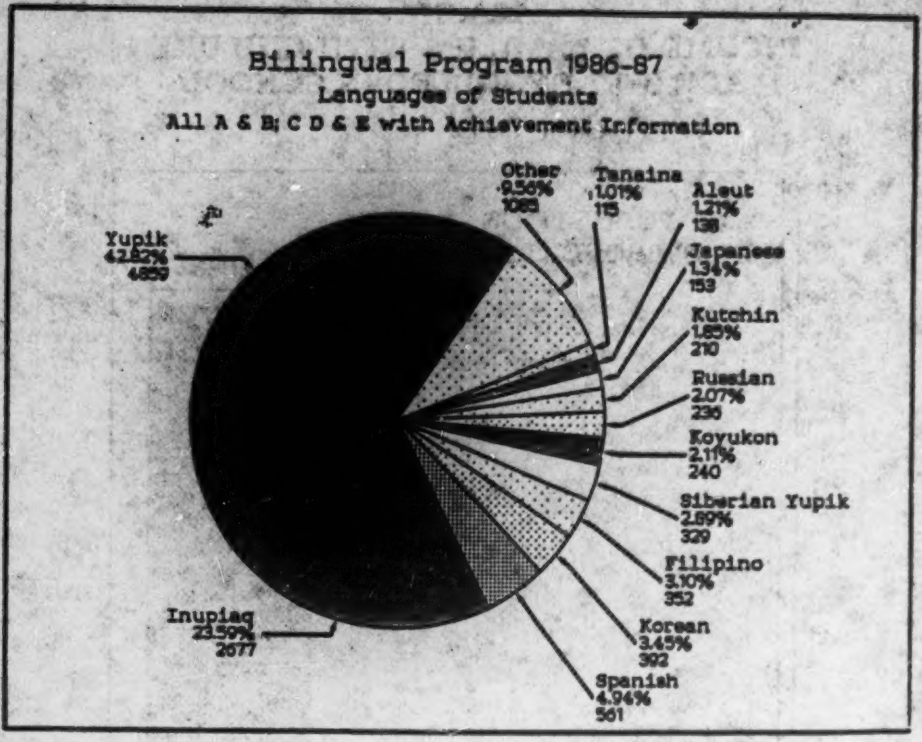
23 are Regional Educational Attendance Areas.

As of July 1988, there are 6,372 teachers in Alaska.

(see Appendix C for Number of Teachers by Race in District)

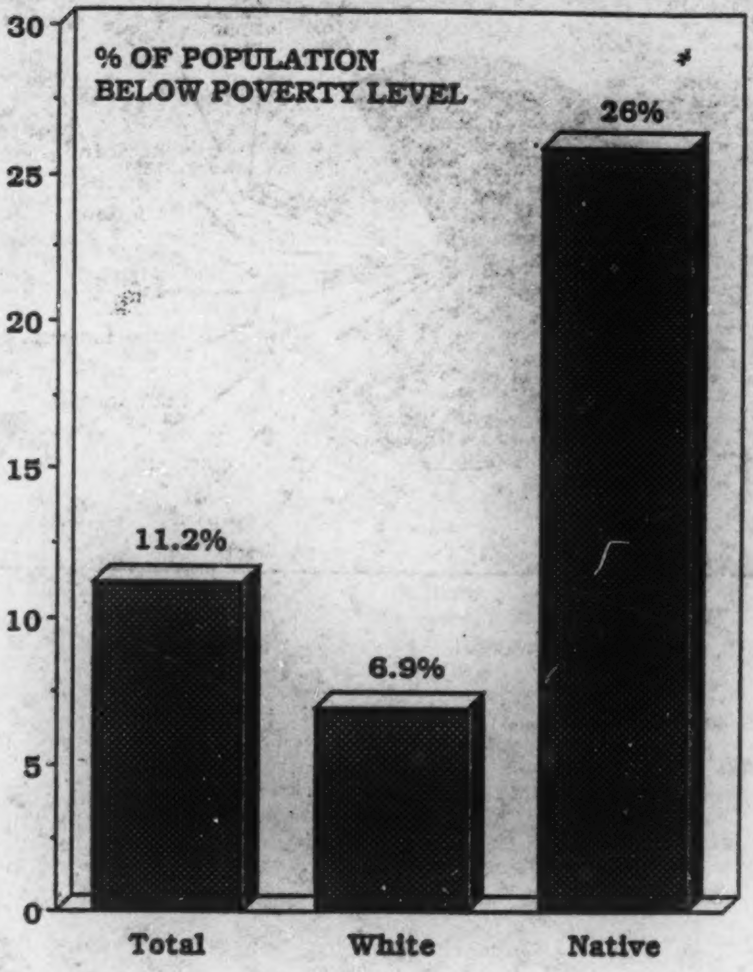
* 2.6%	170	are Alaska Natives.
* 0.7%	43	are American Indians.
* 0.1%	76	are Asian or Pacific Islanders.
* 0.1%	59	are Hispanic.
* 2.3%	146	are Black.
* 92.2%	5,872	are White.

The average teacher salary for the school year 1987-88 was $39,070.



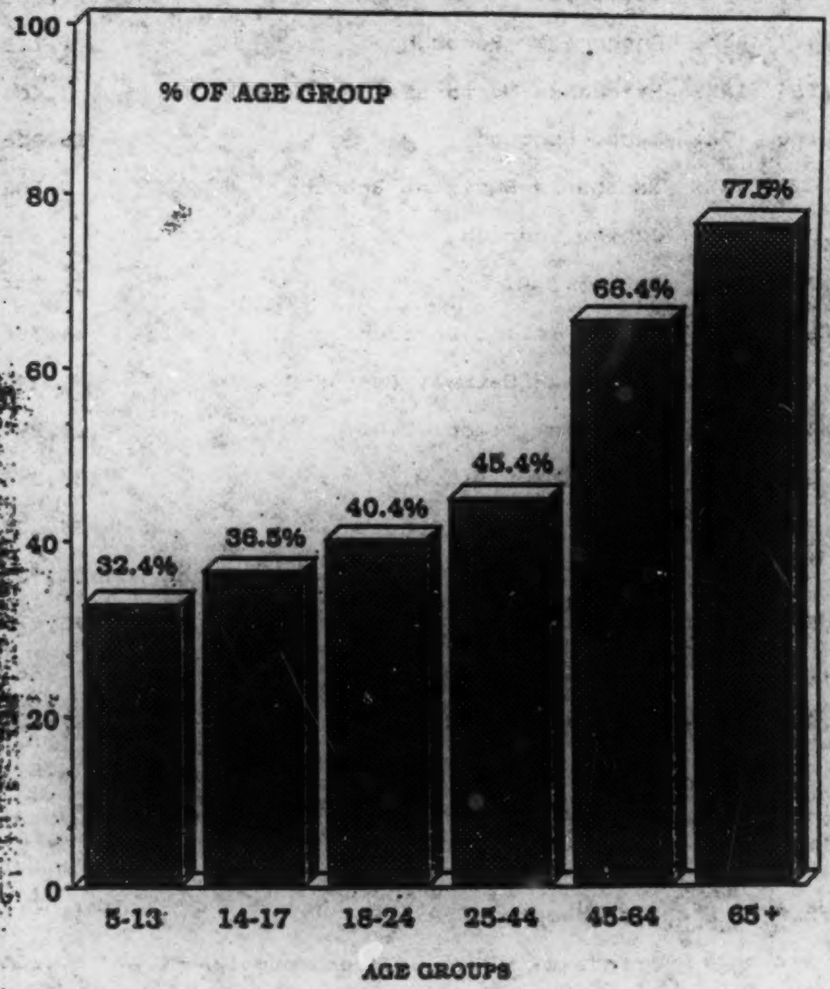
Bilingual Program 1986-87
Languages of Students
All A & B; C D & E with Achievement Information

ALASKA
INCOME OF FAMILIES WITH CHILDREN AGE 3-17 ENROLLED IN SCHOOL



Source: U.S. Bureau of the Census, 1980

ALASKA
PERSONS 5 YEARS AND OVER WHO SPEAK A NATIVE LANGUAGE AT HOME BY AGE GROUP



Source: U.S. Bureau of the Census,1980

APPENDIX A:

Population by Area			Land Area in Square Miles
*537,800		Statewide	579,833
*231,492	(43%)	Anchorage Borough	1,732
* 73,164	(14%)	Fairbanks North Star Borough	7,404
* 39,170	(7%)	Kenai Borough	16,056
* 37,027	(7%)	Matanuska-Susistna Borough	24,502
* 25,369	(5%)	Juneau Borough	2,626
* 13,365	(2%)	Bethel C.A.	36,104
* 13,658	(2%)	Kodiak Island Borough	4,796
* 12,432	(2%)	Ketchikan Gateway Borough	1,242
* 9,420	(2%)	Aleutian Islands C.A.	10,890
* 9,384	(2%)	Yukon-Koyukuk C.A.	159,099
* 8,831	(2%)	Valdez-Cordova C.A.	39,229
* 8,416		Sitka C.A.	2,938
* 7,774		Nome C.A.	23,871
* 6,671		Wrangel-Petersburg C.A.	5,965
* 6,423		Southeast Fairbanks C.A.	24,169
* 5,962		Northwest Arctic Borough	34,891
* 5,927		North Slope Borough	87,657
* 5,836		Dillingham C.A.	46,042
* 5,599		Wade Hampton C.A.	17,816
* 4,964		Prince of Wales - Outer Ketchikan C.A.	7,660
* 3,684		Skagway-Yakutat-Angoon C.A.	13,239
* 1,850		Haines Borough	2,374
* 1,402		Bristol Bay C.A.	531

APPENDIX B:

Mean Annual Population Growth Rate of Alaska Natives, 1900 - 1980

1900		29,536
1910	-1.5	25,331
1920	+0.5	26,558
1930	+1.2	29,983
1940	+0.8	32,458
1950	+0.4	33,863
1960	+2.4	43,081
1970	+1.6	50,654
1980	+2.4	64,103

UPDATED JULY, 1988.
Report has been updated due to removal of noncertified personnel and corrections to information

NUMBER OF TEACHERS BY RACE BY DISTRICT
1987-88

District	White	Black	Hispanic	Asian or Pac Islander	American Indian	Alaska Native	Not Reported	Total
Adak Region Schools	33	1						34
Alaska Gateway Schools	39							39
Aleutian Region School District	16							16
Anchorage School District	1,824	108	40	44	31	21	6	2,074
Annette Island Schools	29					5		34
Bering Strait Schools	119					5		124
Bristol Bay Borough Schools	21				1			22
Centralized Correspondence	22							22
Chatham Schools	40							40
Chugach Schools	13							13
Copper River Schools	38					1		39
Cordova City Schools	31	1						32
Craig City Schools	16					2		18
Delta/Greely Schools	57	1						58
Dillingham City Schools	34					2		36
Fairbanks North Star Borough S	744	27	6	3	5	10		795
Galena City School District	18					1		19
Haines Borough School District	31			1				32
Hoonah City Schools	15					2		17
Hydaburg City Schools	11					1		12
Iditarod Area Schools	31		1	1	2	3		38
Juneau Borough Schools	224	1	3	5		2		235
Kake City Schools	17					3		20
Kashunamiut School District	10		1			5		16
Kenai Peninsula Borough School	465		1	1				467
Ketchikan Gateway Borough Scho	154		1	1		2		158
King Cove City Schools	12					1		13
Klawock City Schools	16					1		17
Kodiak Island Borough Schools	146			3		5		154
Kuspuk School	41	2				1		44
Lake & Peninsula Schools	38					7		45
Lower Kuskokwim Schools	188	1	1	1	2	17		210
Lower Yukon School District	101			3		11		115
Mat-Su Borough Schools	477	2		2				481
Mt. Edgecumbe High School	13			1				14
Nenana City Schools	15		1		1			17
Nome City Schools	42					4		46
North Slope Borough School Dis	116			1		20		137
Northwest Arctic Schools	92		2	3	1	12		110
Pelican City Schools	6							6
Petersburg City Schools	42			1				43
Pribilof School District	12							12
Railbelt School District	33							33
Saint Marys School District	11					3		14
Sand Point School District	14							14
Sitka Borough Schools	94		1	3				98
Skagway City School	14							14
Southeast Island Schools	43							43
Southwest Region Schools	49					5		54
Tanana City Schools	7					1		8
Unalaska City Schools	12			1				13
Valdez City Schools	57	1						58
Wrangell City Schools	37							37
Yakutat City School District	12					1		13
Yukon Flats Schools	25	1	1	1		3		31
Yukon/Koyukuk Schools	41					12		53
Yupiit School District	20					1		21
TOTALS	5,872	146	59	76	43	170	6	6,372

As I mentioned earlier, Alaska is the ancestral and contemporary home of approximately 70,000 Alaska Natives.

In conclusion I would like to give you a brief overview of Alaska's Native languages with the help of this beautiful map created by Dr. Michael Krauss, one of my colleagues at the Alaska Native Language Center at the University of Alaska Fairbanks.

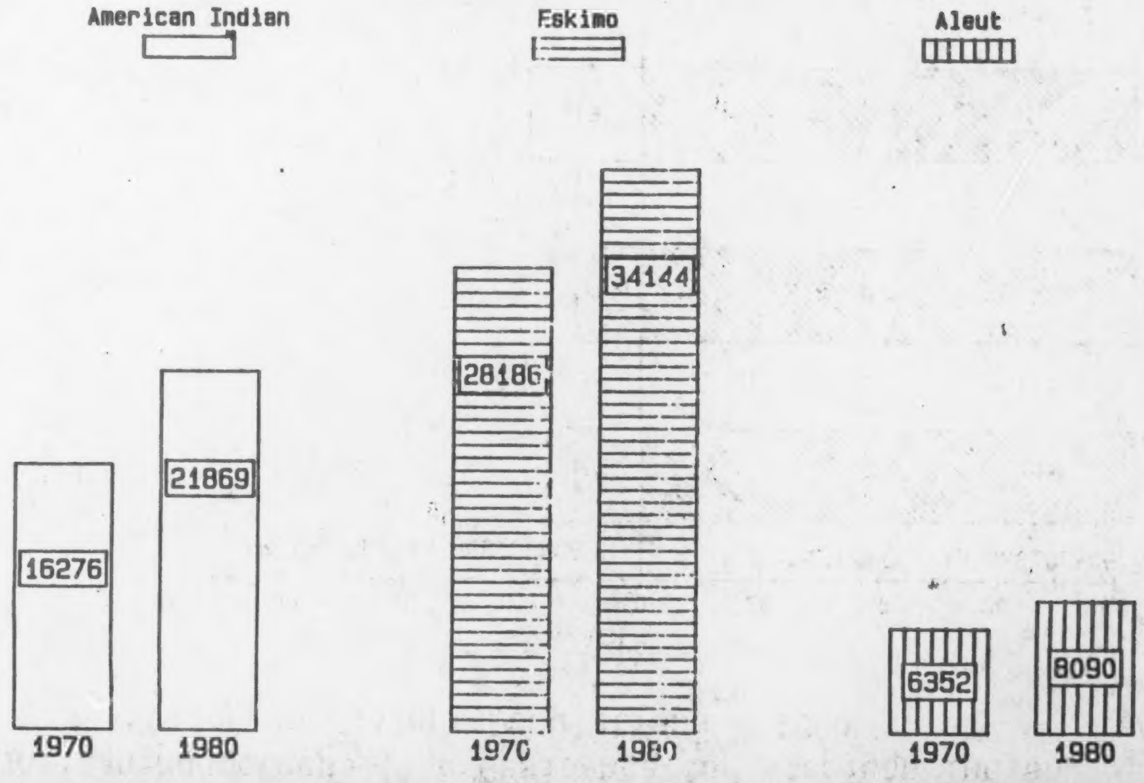
(talk about map.)

A STATISTICAL PROFILE OF THE AMERICAN INDIAN, ESKIMO, AND ALEUT POPULATIONS FOR ALASKA: 1980

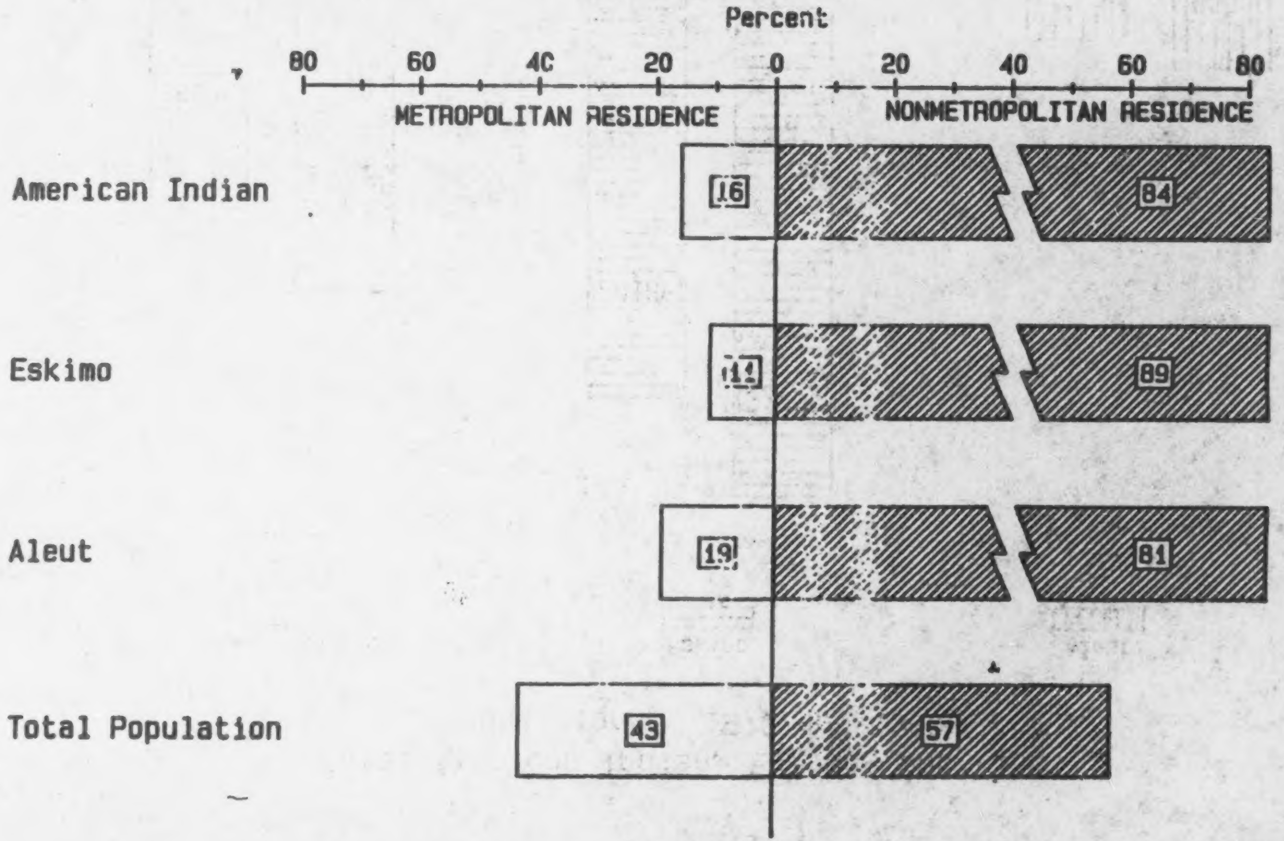
Prepared by: Racial Statistics Branch
Population Division
Bureau of the Census
Washington, D.C. 20233

September 1985

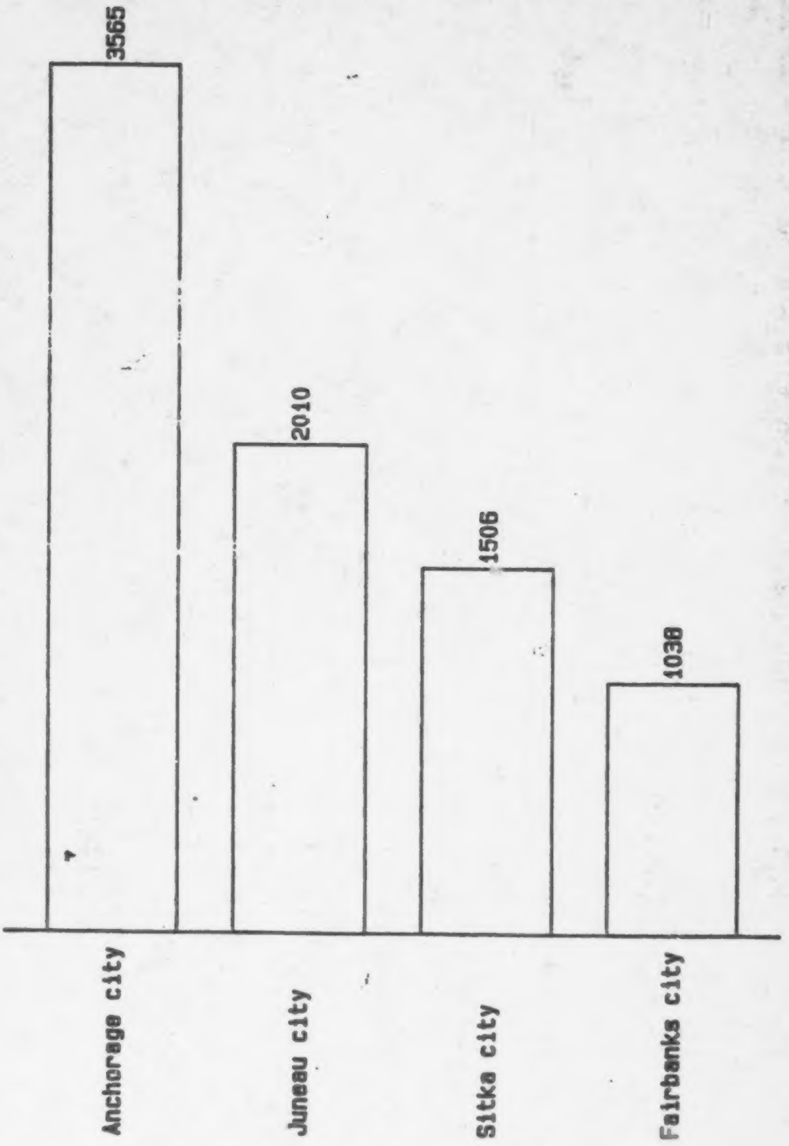
Total American Indian, Eskimo, and Aleut Populations: 1970 and 1980



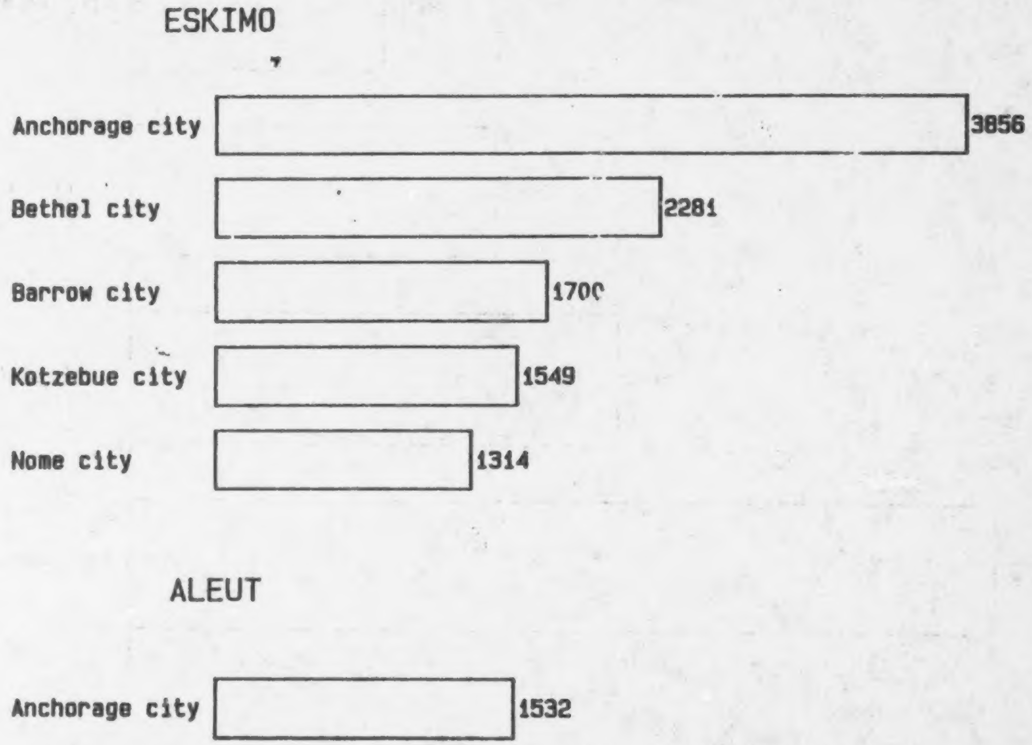
Metropolitan-Nonmetropolitan Residence for American Indian, Eskimo, and Aleut Populations: 1980



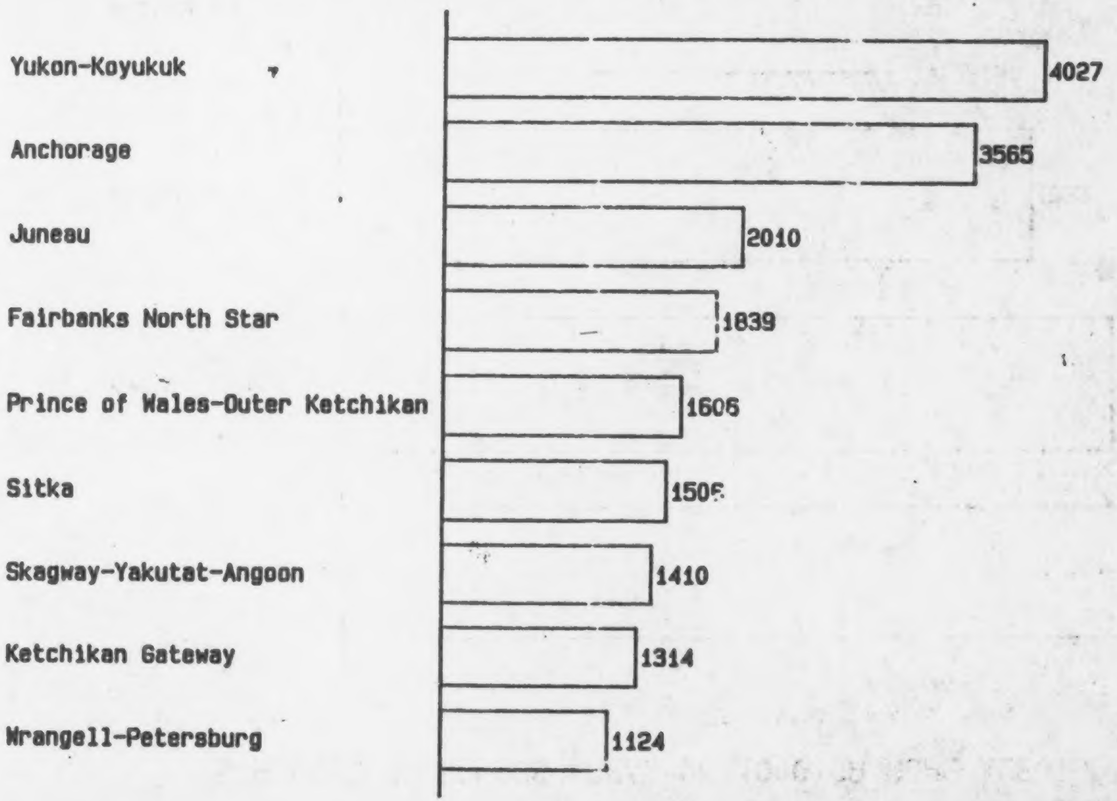
PLACES OF 1000 OR MORE AMERICAN INDIANS: 1980



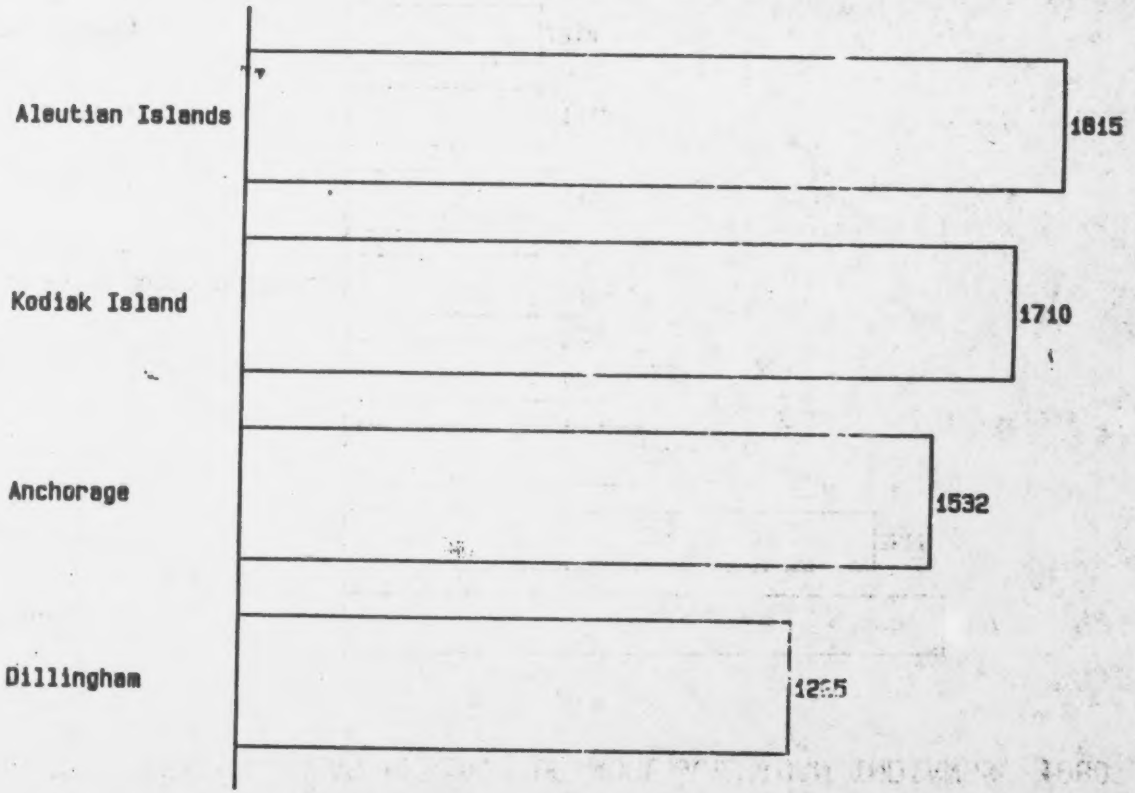
PLACES OF 1000 OR MORE ESKIMOS AND ALEUTS: 1980

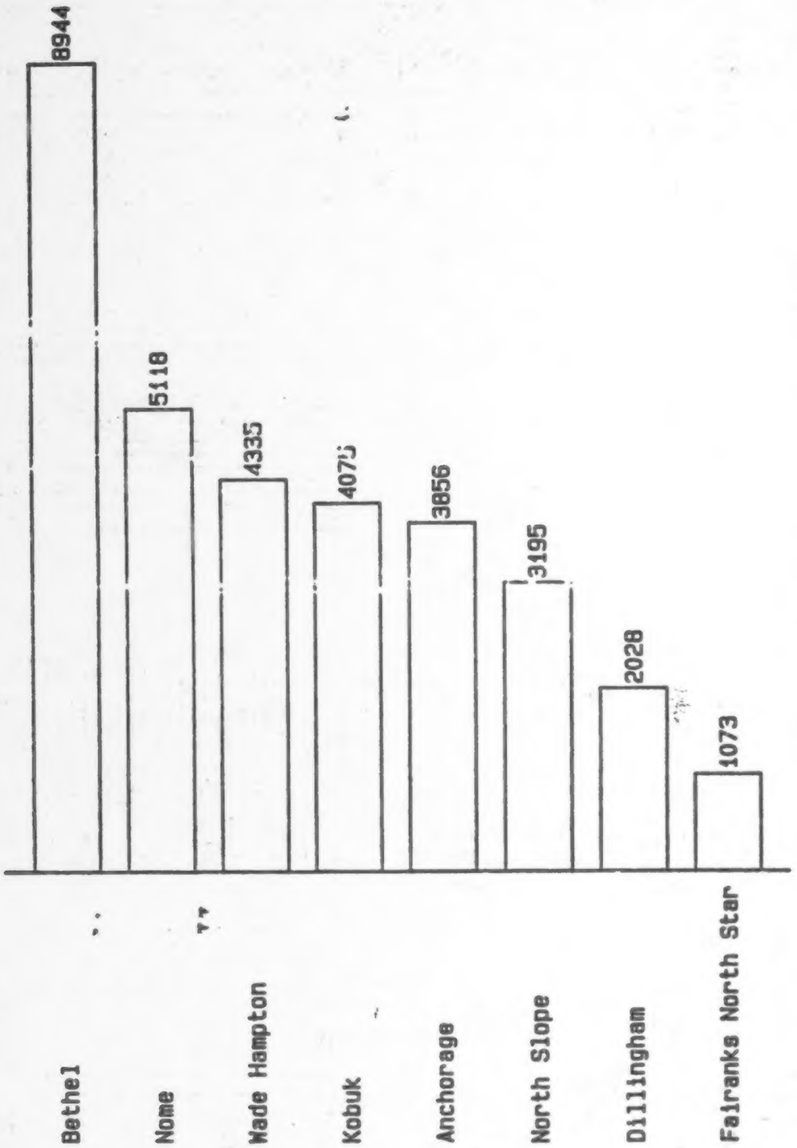


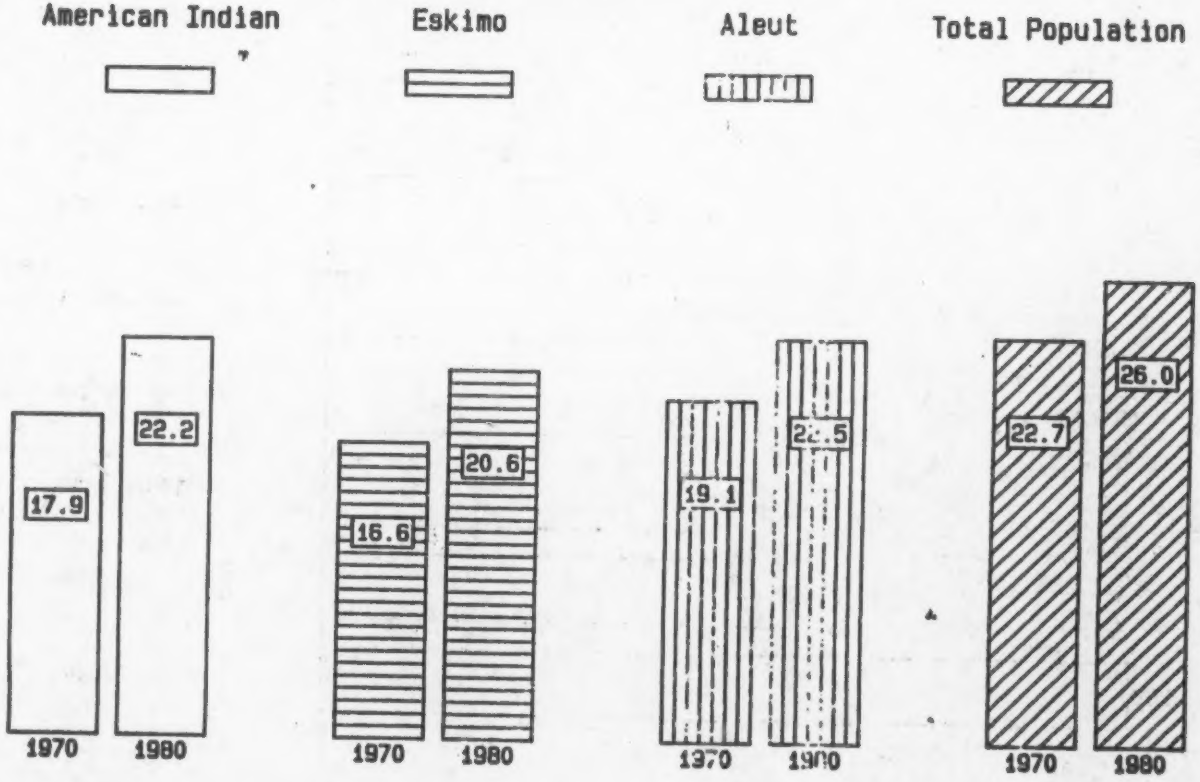
BOROUGHS OR CENSUS AREAS OF 1000 OR MORE AMERICAN INDIANS: 1980



BOROUGHS OR CENSUS AREAS OF 1000 OR MORE ALEUTS: 1980

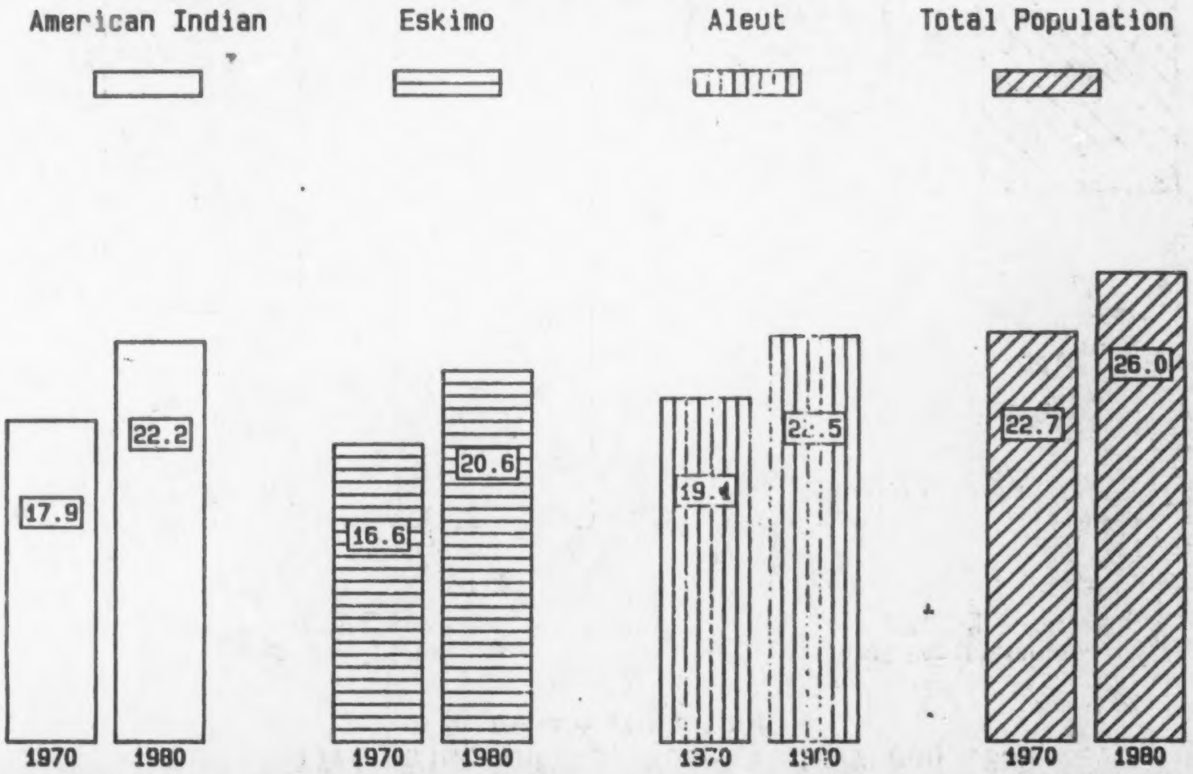



Bethel
8944
Nome
5118
Wade Hampton
4335
Kobuk
4075
Anchorage
3856
North Slope
3195
Dillingham
2028
Fairanks North Star
1073



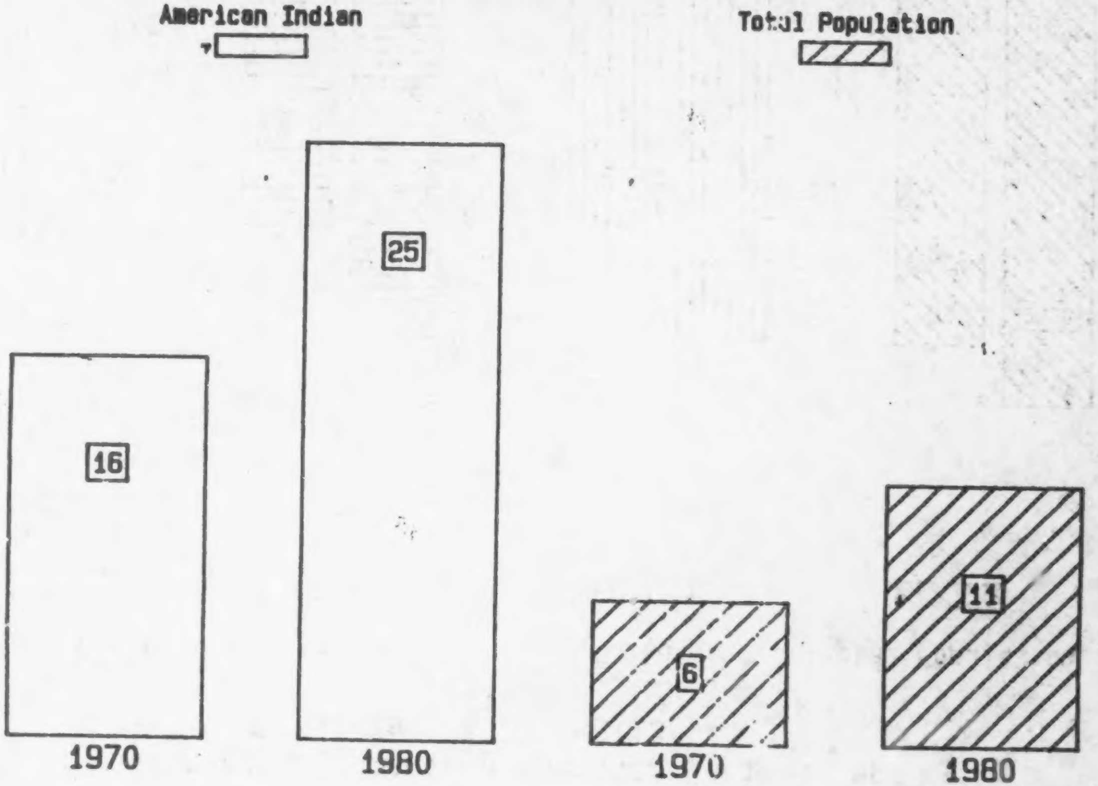
Median Age of American Indians, Eskimos, and Aleuts: 1970 and 1980

Median Age of American Indians, Eskimos, and Aleuts: 1970 and 1980



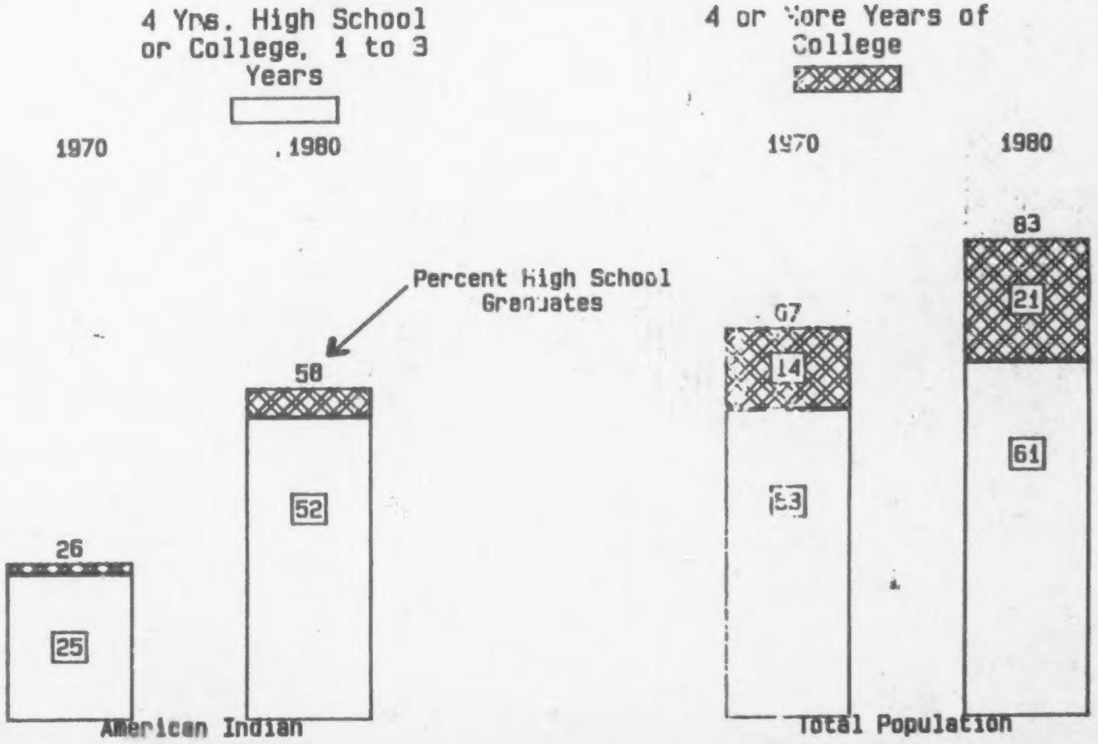
Families Maintained by Women: 1970 and 1980

(Percent of Families)



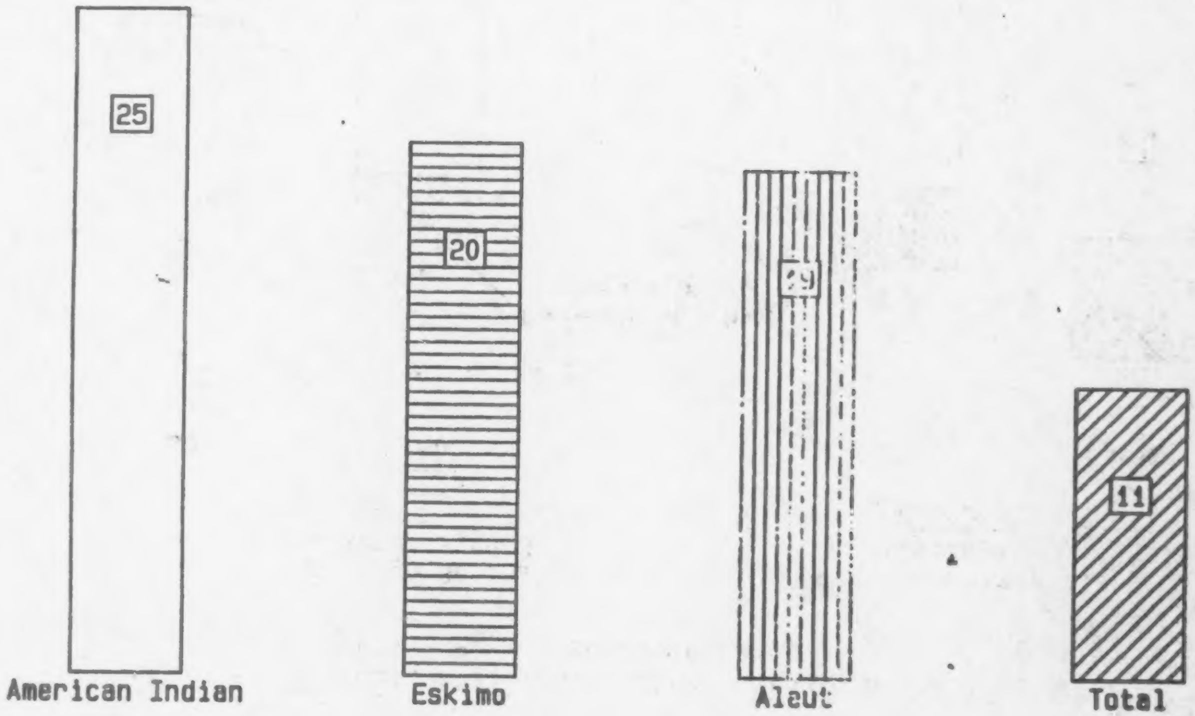
Educational Attainment: 1970 and 1980

(Persons 25 Years Old and Over)

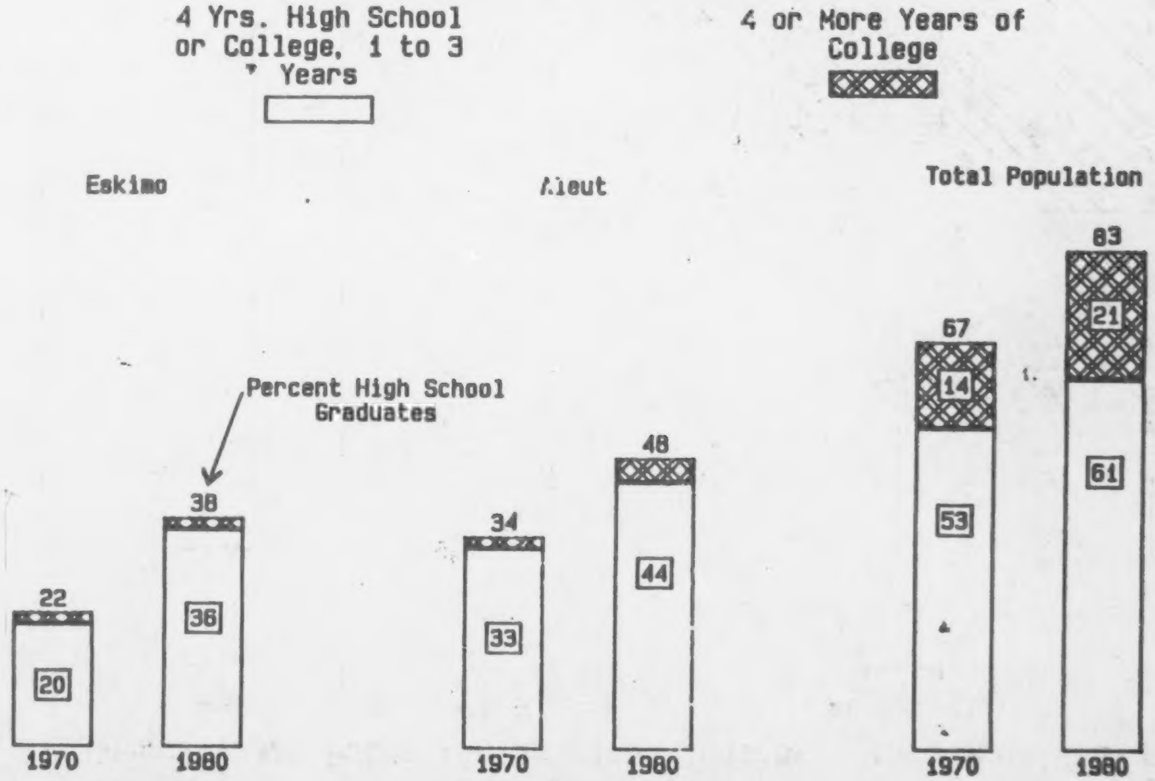


Families Maintained by Women: 1980

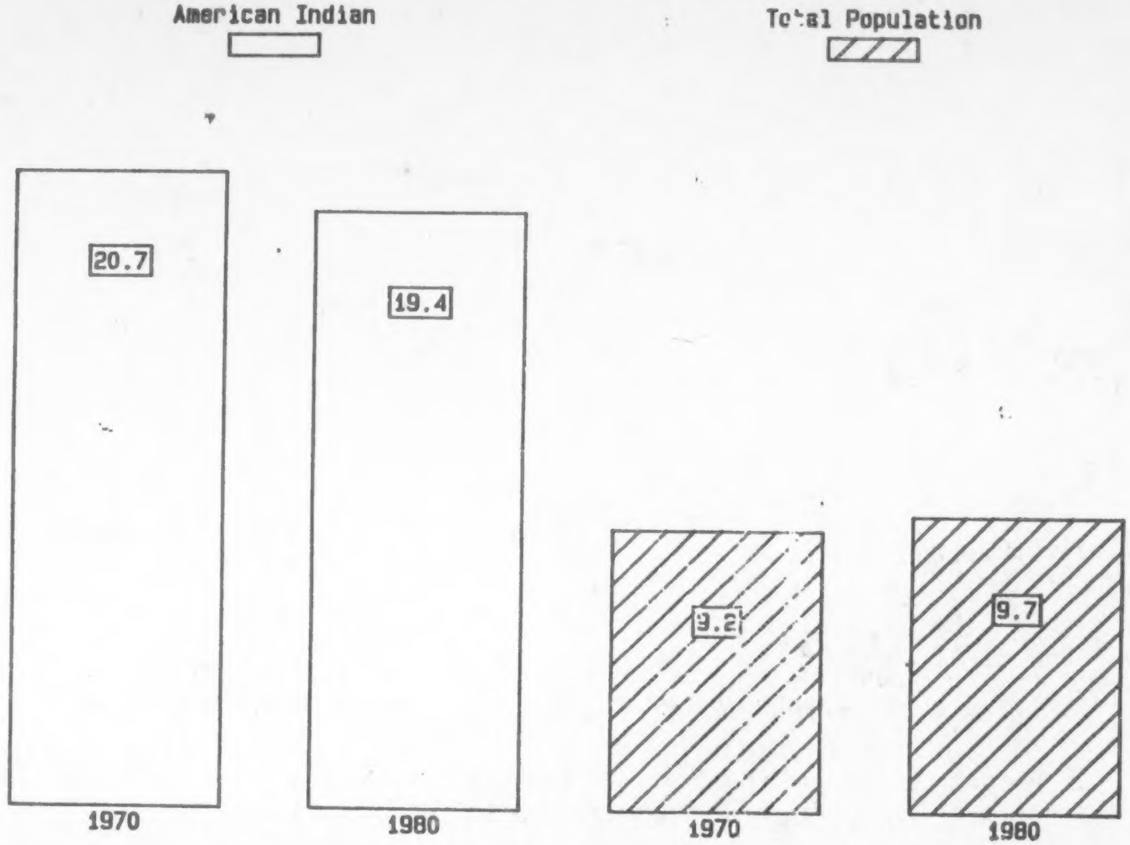
(Percent of Families)



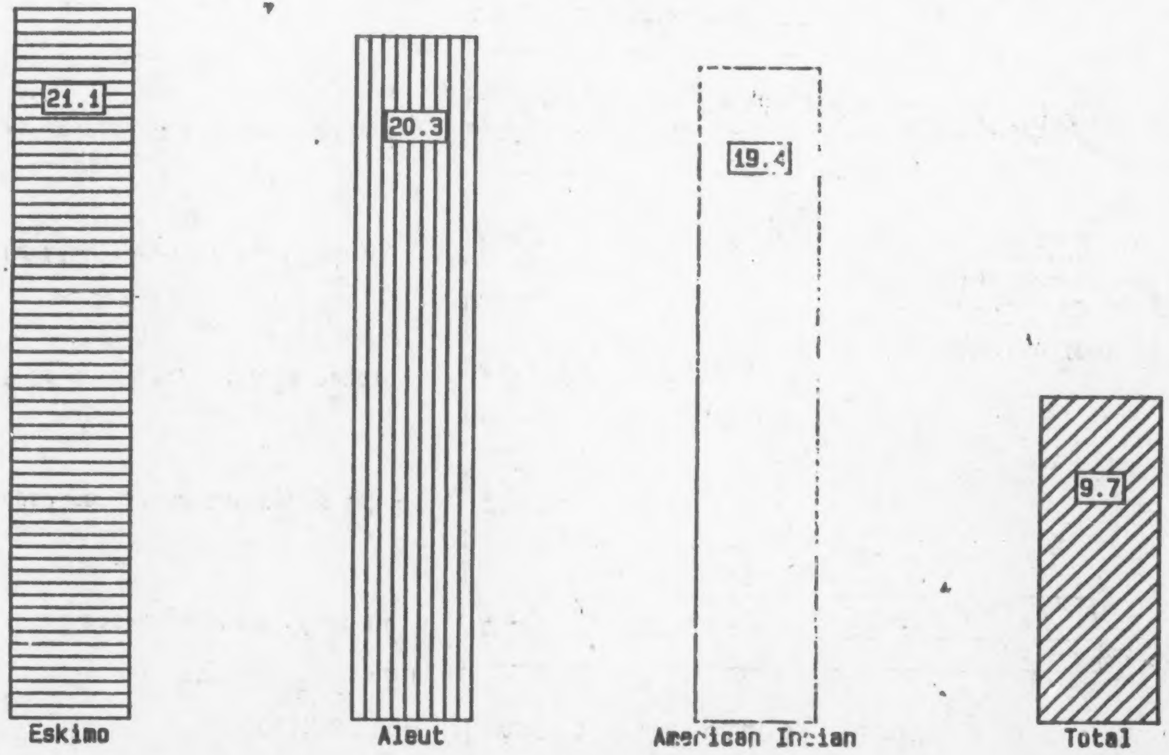
Educational Attainment: 1970 and 1980
(Persons 25 Years Old and Over)



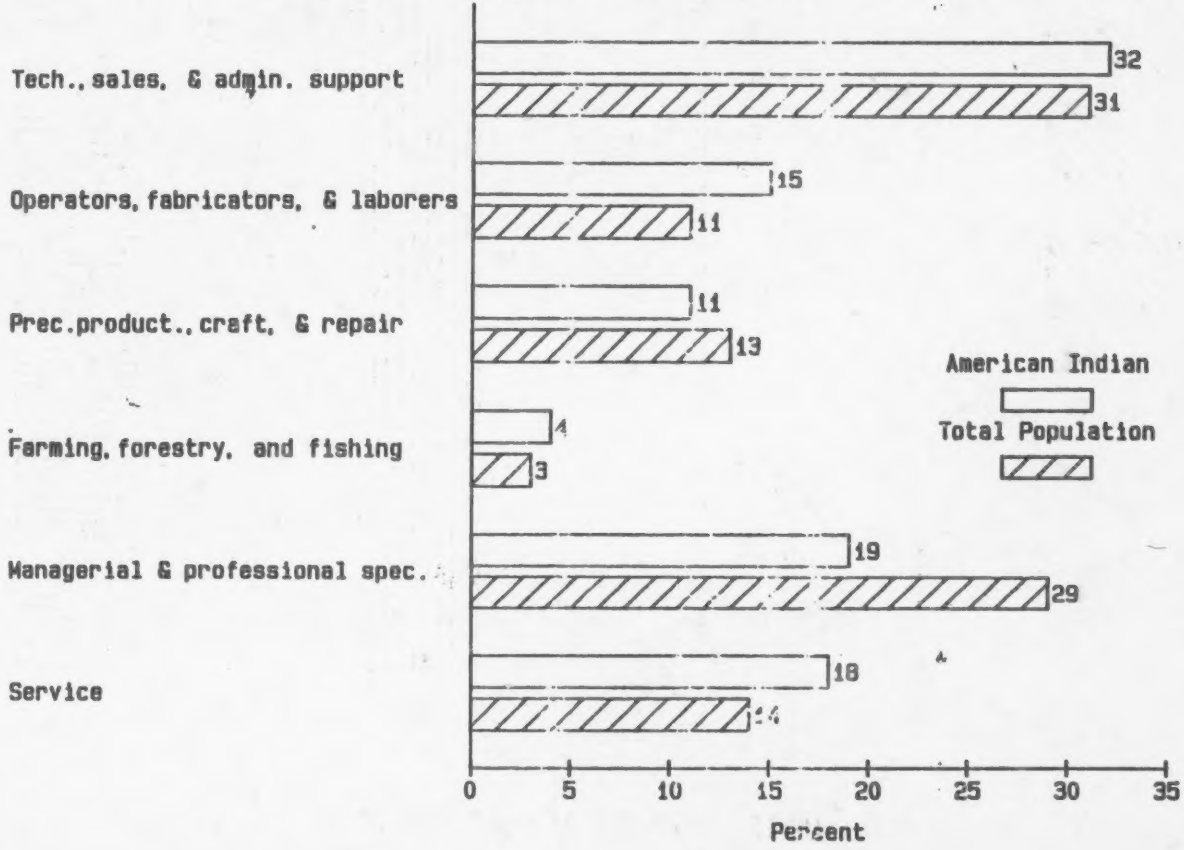
Unemployment Rates for American Indians: 1970 and 1980



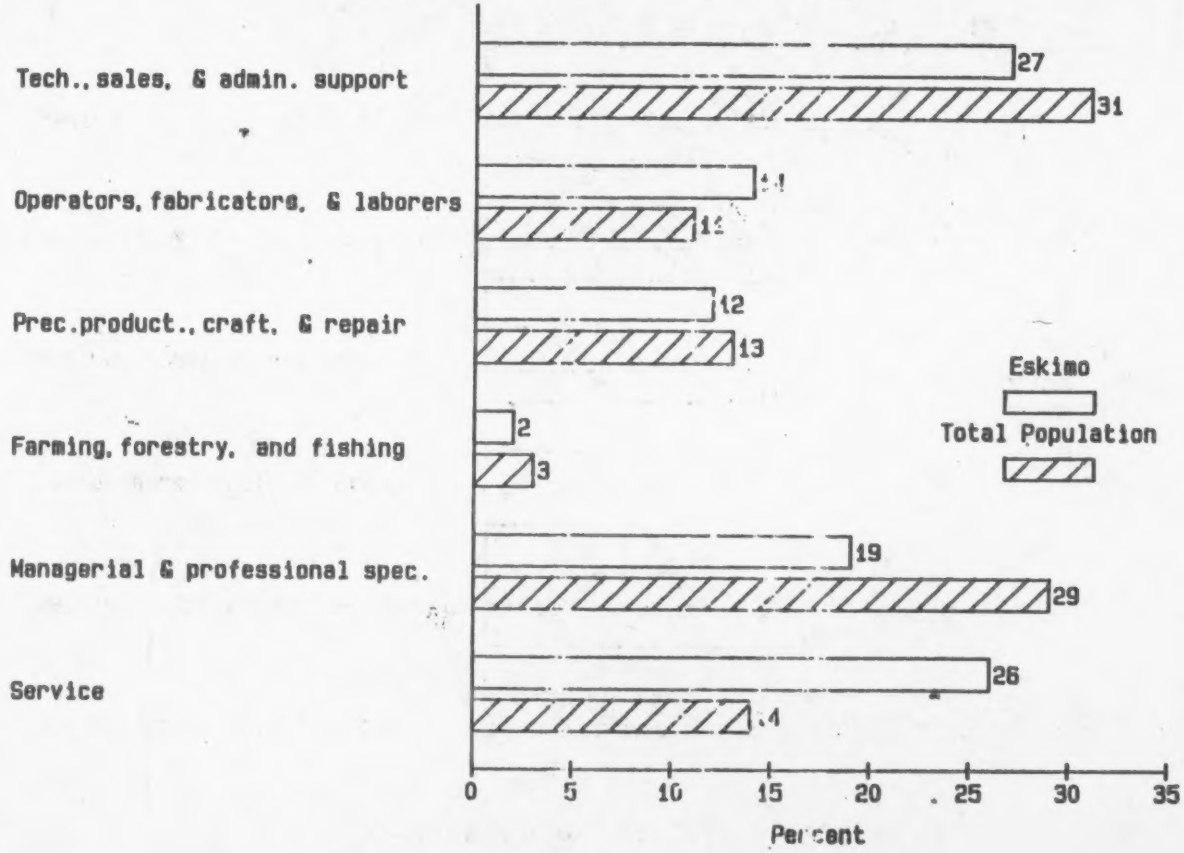
Unemployment Rates: 1980



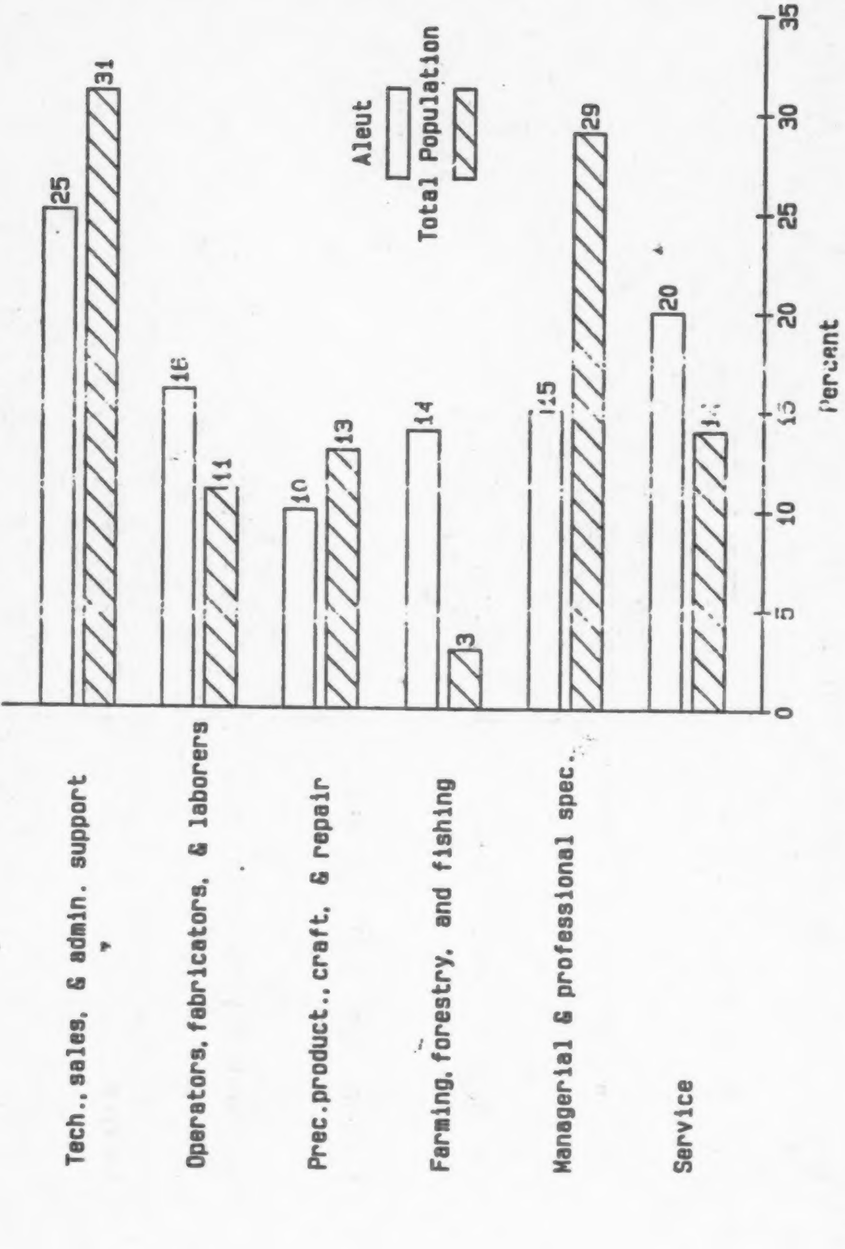
Occupation of American Indians: 1980



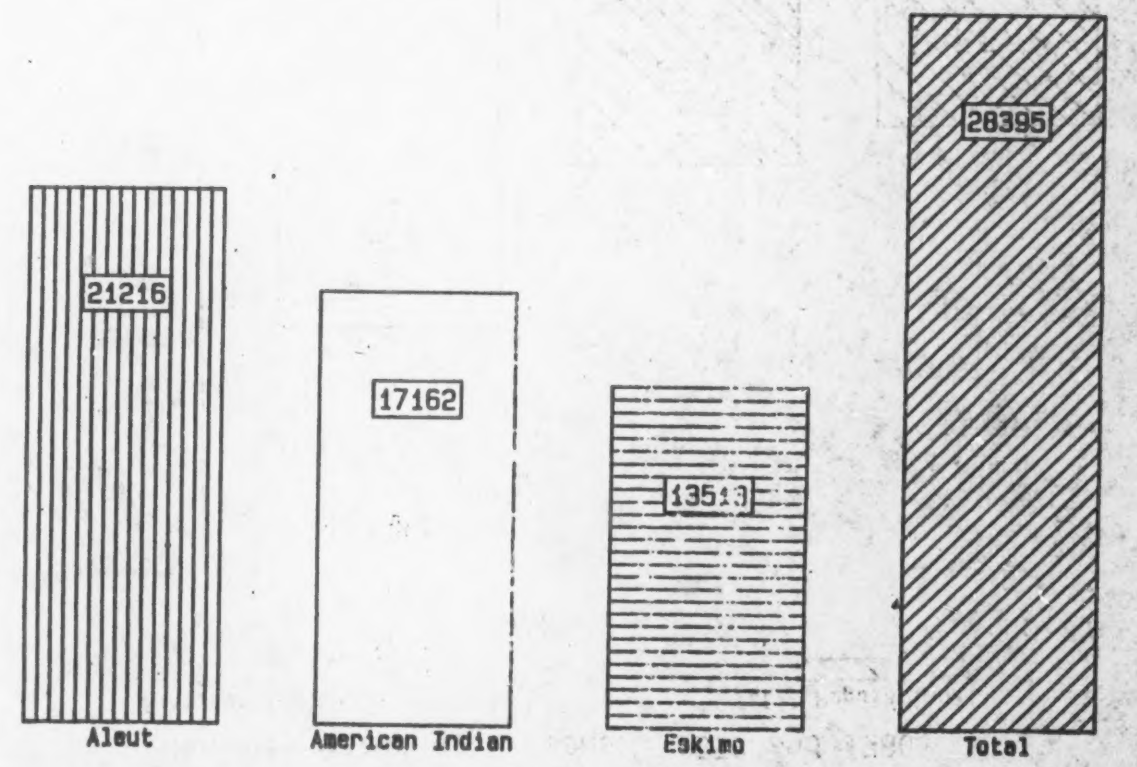
Occupation of Eskimos: 1990



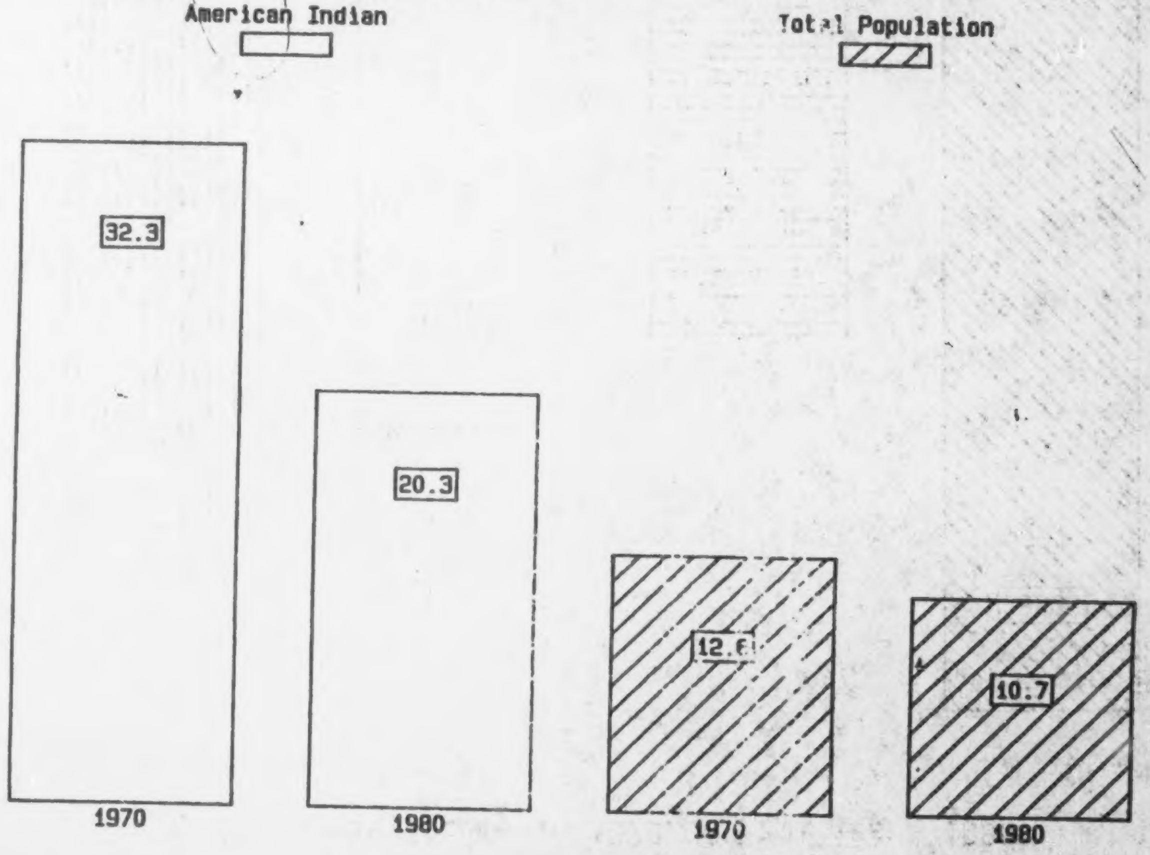
Occupation of Aleuts: 1980



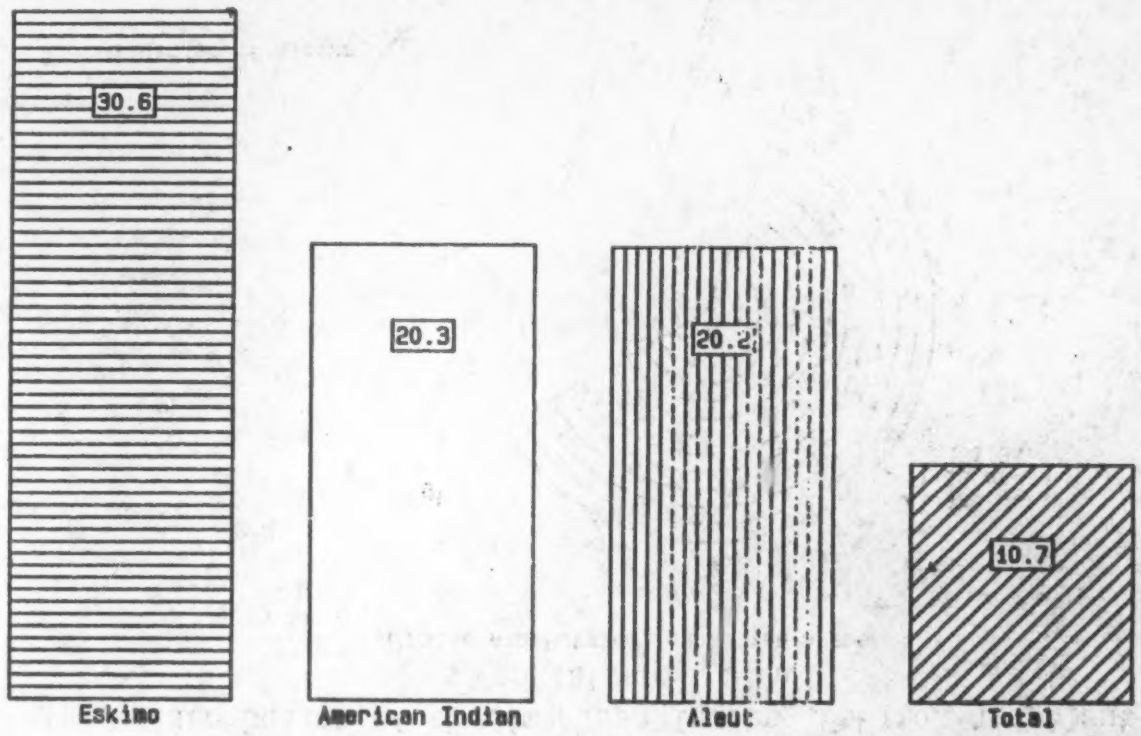
Median Money Income in 1979 of Families: 1980



Poverty Rates of Persons: 1970 and 1980

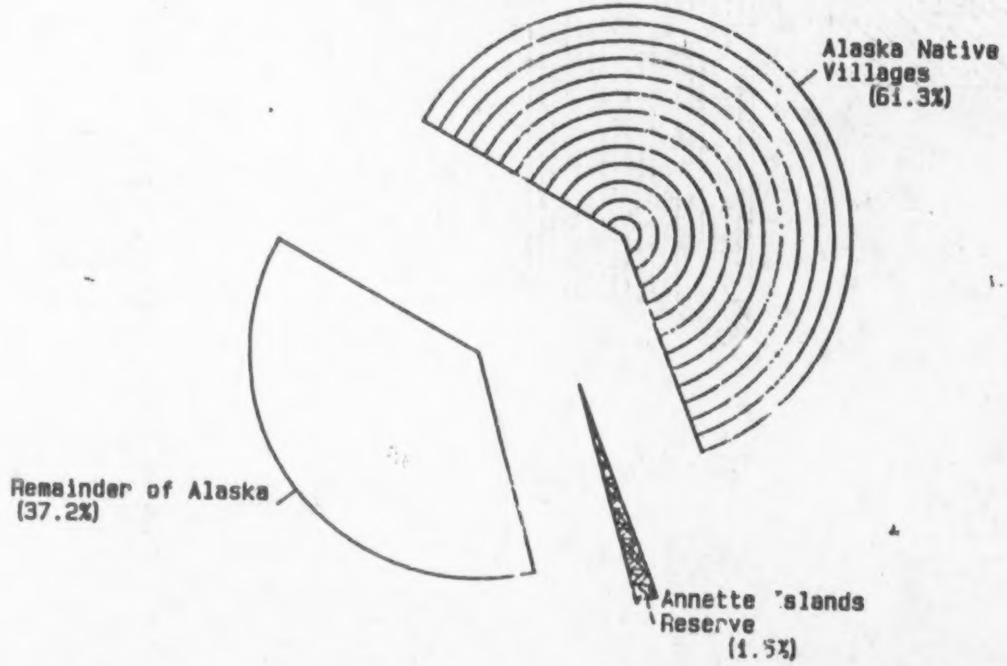


Poverty Rates of Persons: 1980

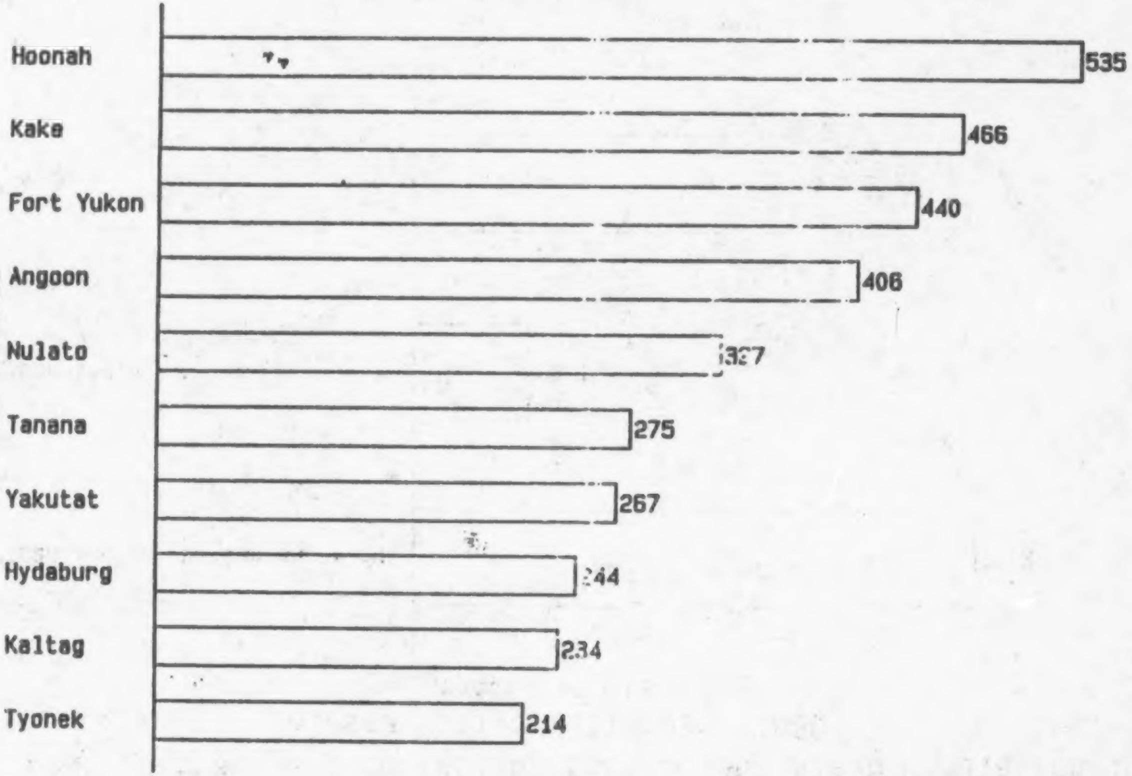


Distribution of the American Indian, Eskimo, and Aleut Population: 1990

(Inside and Outside Identified Areas)

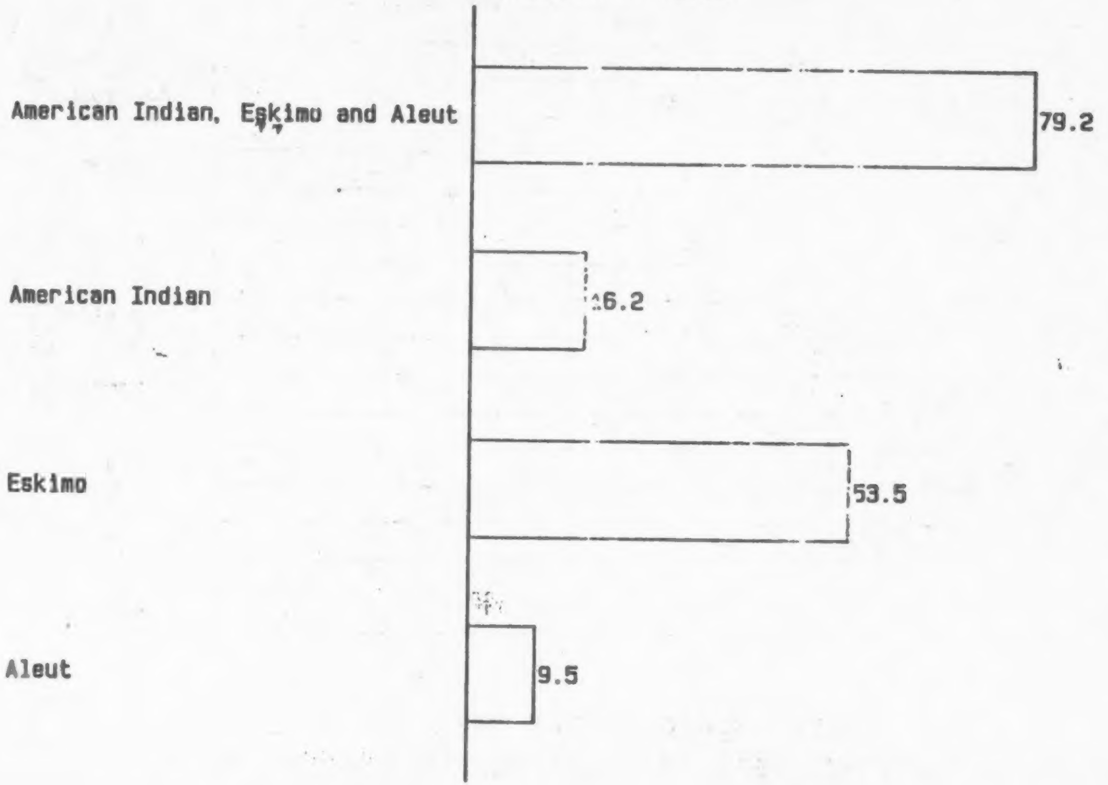


Top Ten Alaska Native Villages With the Largest Number Of American Indians: 1980

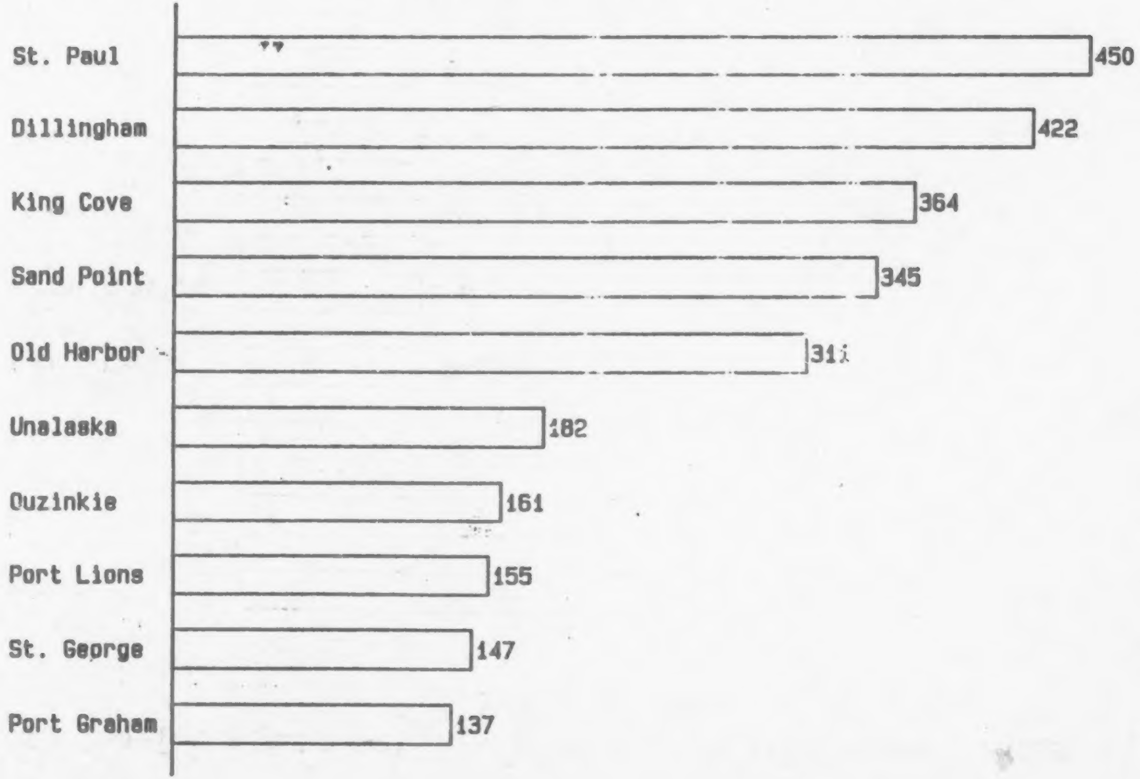


Percent of the American Indian, Eskimo, and Aleut Population in Alaska Native Villages: 1980

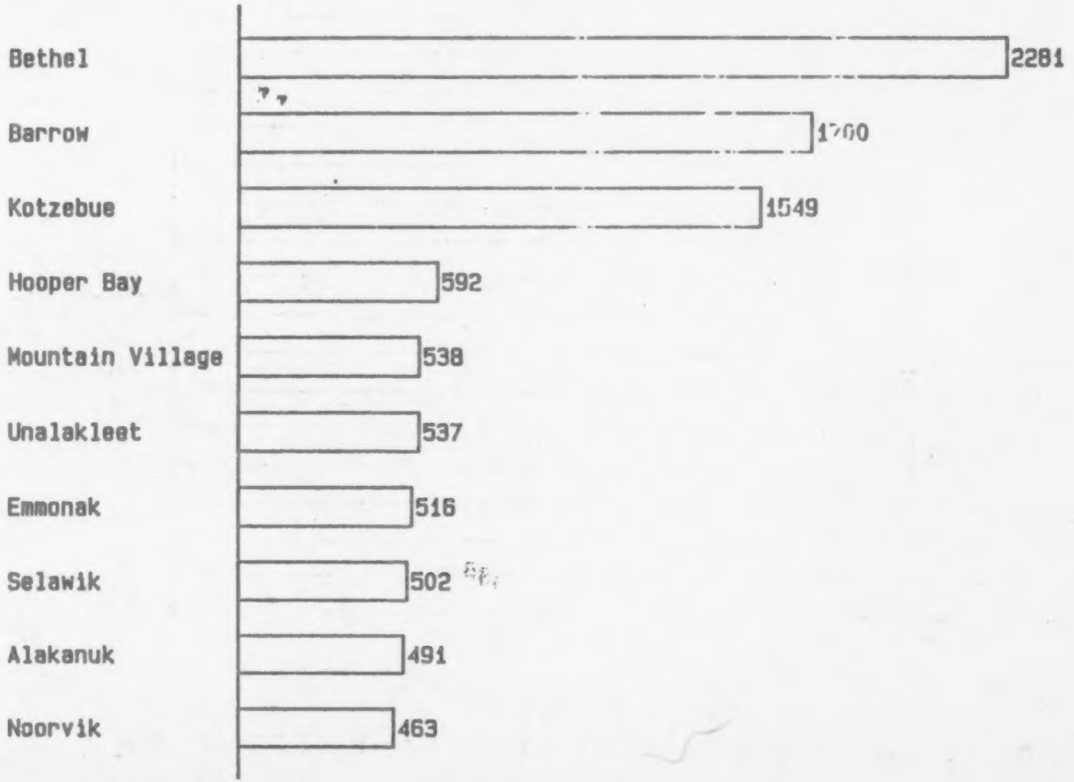
(Percent of Total)



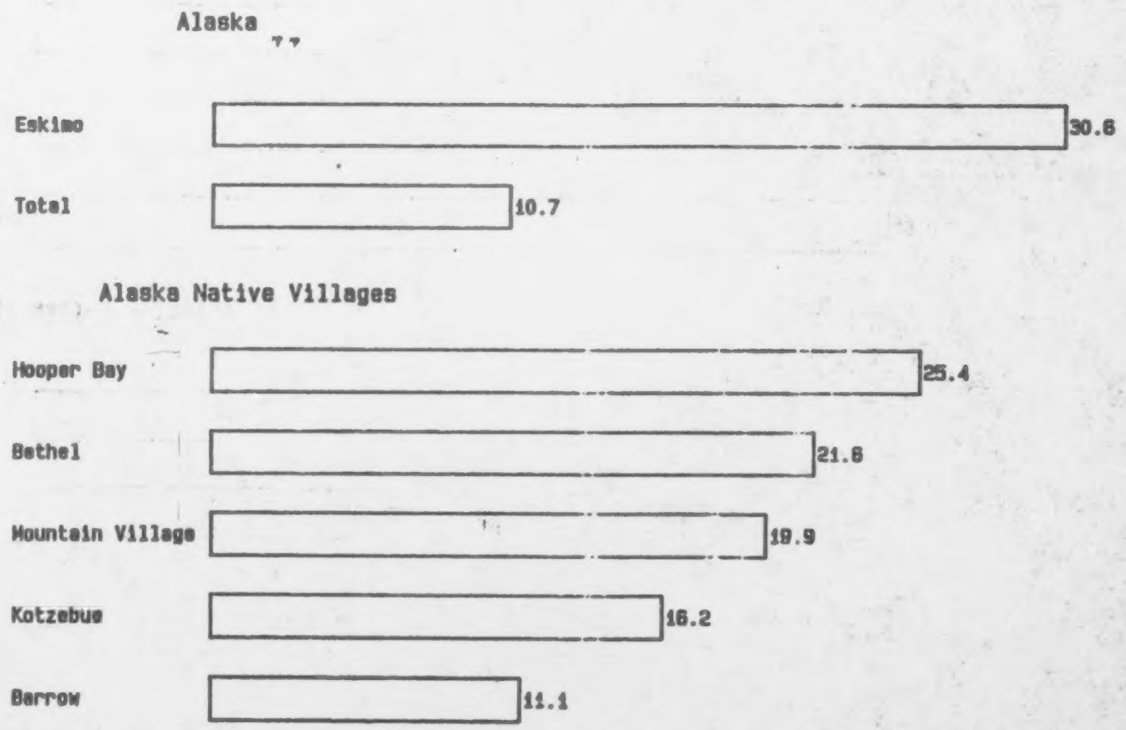
Top Ten Alaska Native Villages With the Largest Number of Aleuts: 1980



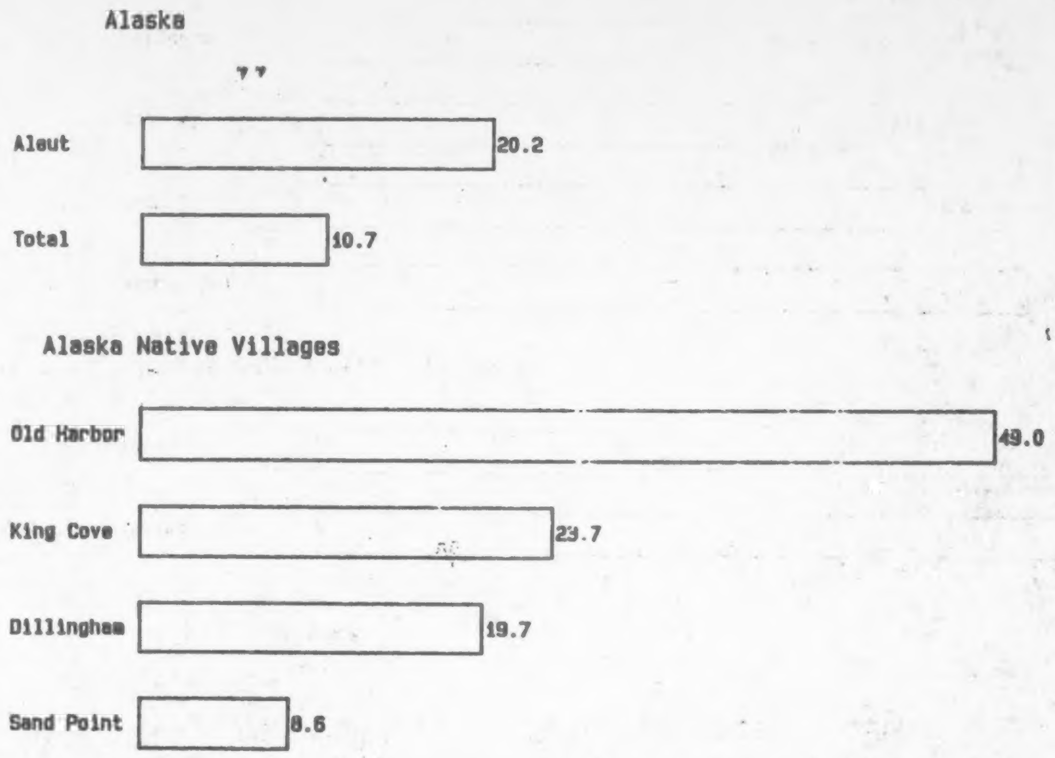
Top Ten Alaska Native Villages with the Largest Number of Eskimos: 1980



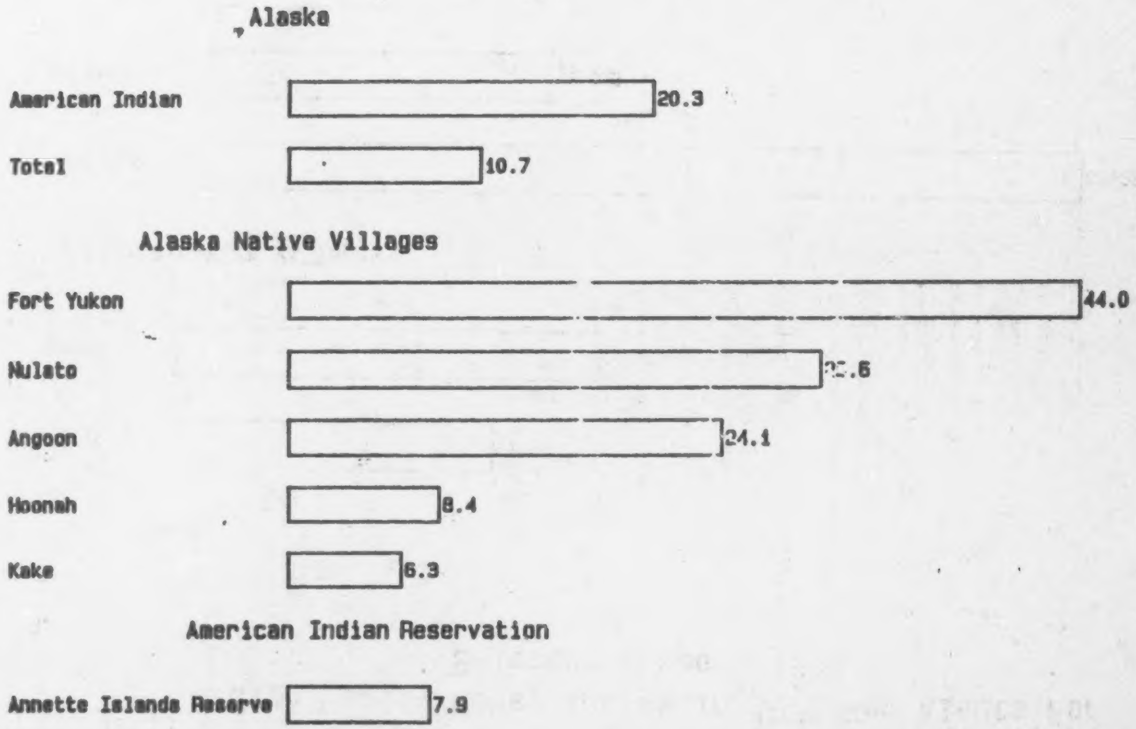
Poverty Rates for Eskimo Persons In 1979 for Selected Areas: 1980



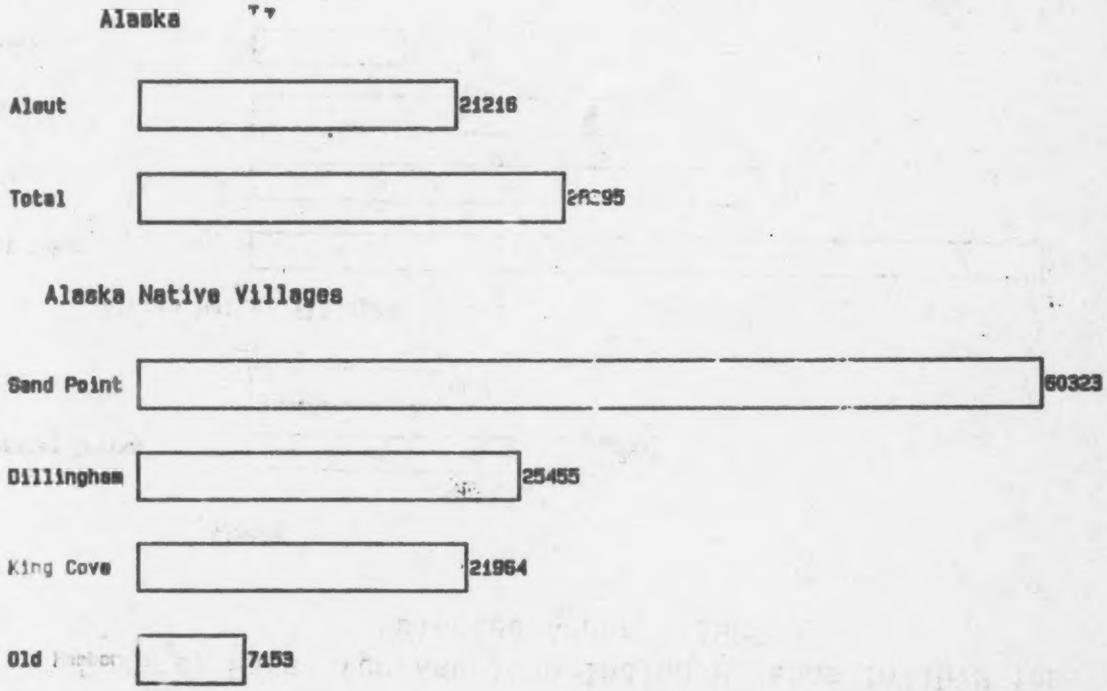
Poverty Rates for Aleut Persons In 1979 for Selected Areas: 1980



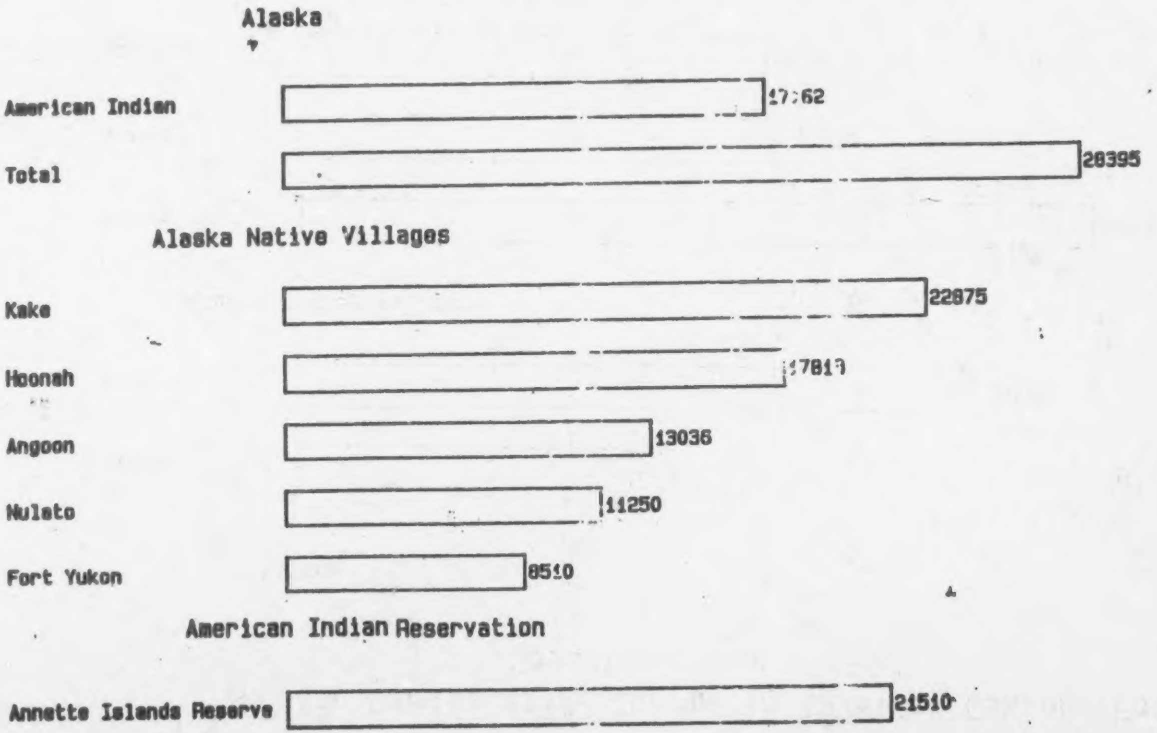
Poverty Rates for American Indian Persons In 1979 for Selected Areas: 1980



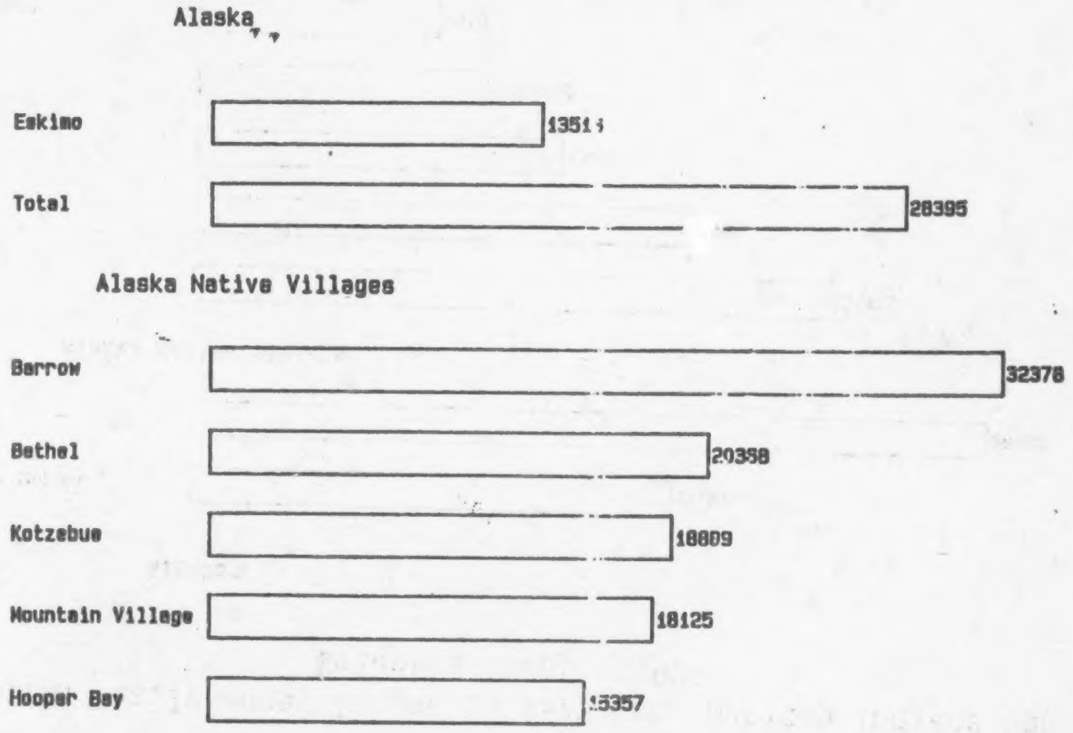
Median Family Money Income in 1979 For Aleuts For
Selected Areas: 1980



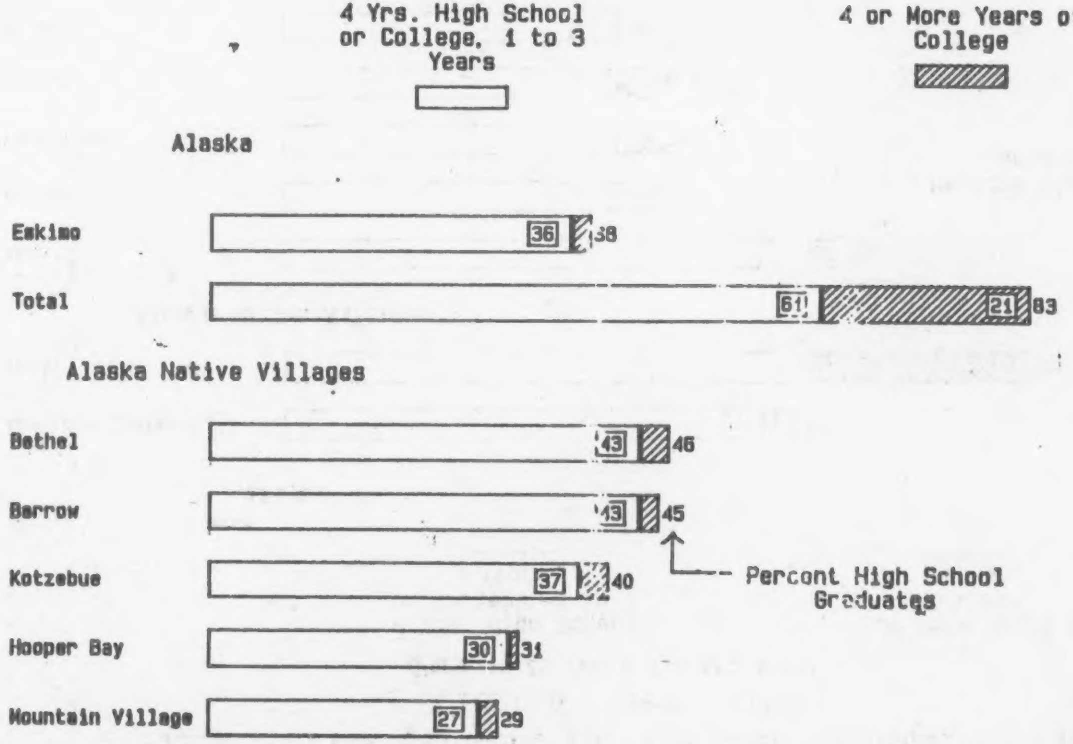
Median Family Money Income in 1979 For American Indians For Selected Areas: 1980



Median Family Money Income in 1979 For Eskimos For Selected Areas: 1980

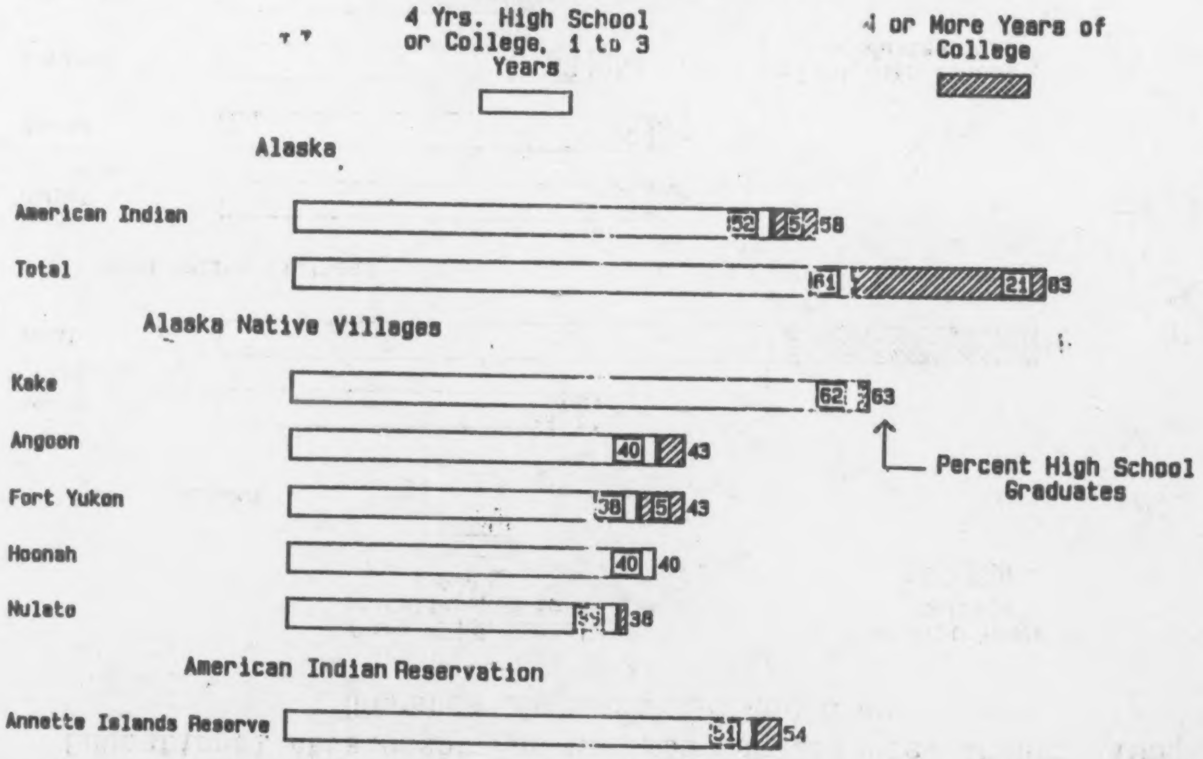


Educational Attainment For Eskimos For Selected Areas: 1980
(Persons 25 Years Old and Over)

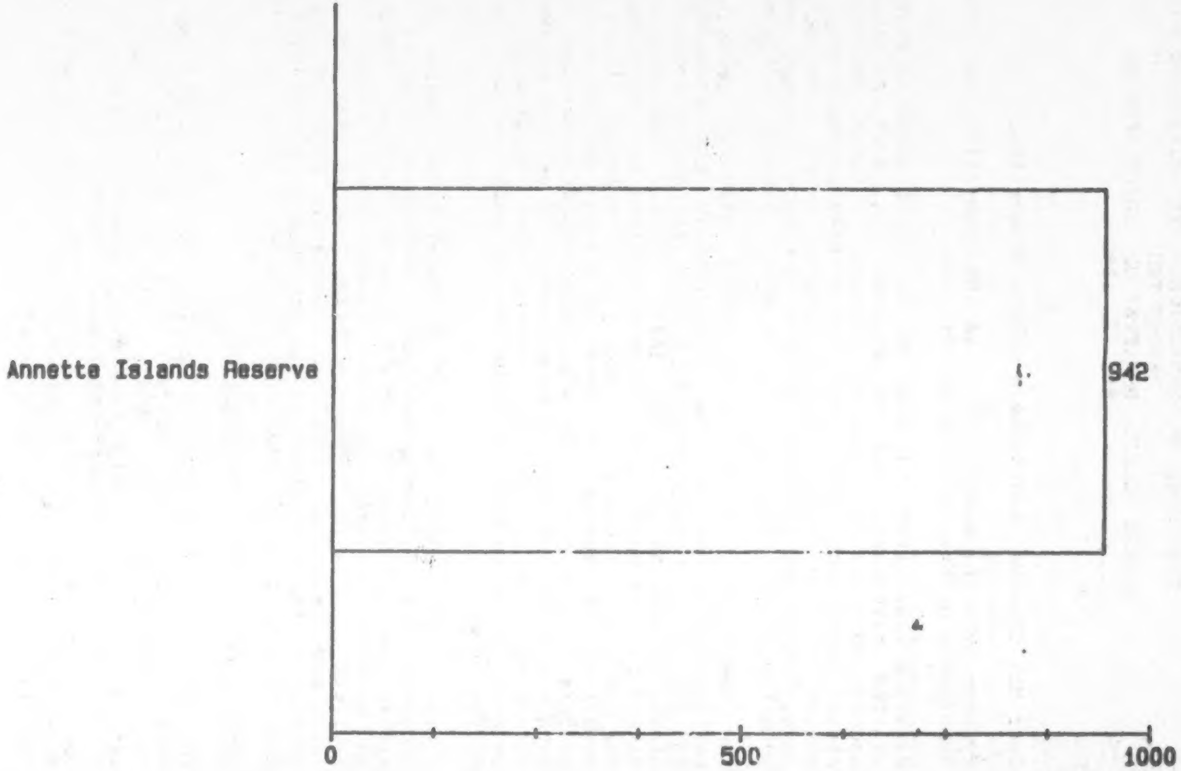


Educational Attainment for the American Indians for Selected Areas: 1980

(Persons 25 Years Old and Over)



American Indian Reservations: 1980



TESTIMONY OF COMMISSIONER MYRA M. MUNSON
BEFORE THE
SENATE SELECT COMMITTEE ON INDIAN AFFAIRS
MAY 27, 1989

Dear Mr. Chairman and Members of the Committee:

My name Myra M. Munson and I am the Commissioner of the Alaska Department of Health & Social Services.

First, I would like to thank you for the chance to furnish this written testimony, and to welcome you back to Alaska. I understand that an important purpose of these hearings is to afford people who were unable to testify in Washington, D.C. a chance to have their oral statements heard. Respecting that need, I have not asked to be given a chance to speak before the committee, preferring instead, to submit written testimony.

The Department of Health & Social Services recognizes the seriousness of the problems emphasized in the recent Report on the Status of Alaska Natives: A Call for Action written by the Alaska Federation of Natives (AFN). While individual pieces of data often are compelling and have provided the underpinnings for our program initiatives, when pulled together into a single report on the status and lives of Alaska Natives a formidable picture is presented. This emphatic depiction demands action by both the state and federal governments, as well as Alaska Natives themselves. It is critical, however, that duplication of effort be avoided; by working together we can each enhance the efforts of the others.

It is in this spirit of seeking cooperative action, that I am providing the following testimony describing selected programs within the Department of Health & Social Services (DHSS) to try to improve the well being of Alaska Native people and other citizens of Alaska. These programs provide some new insights, raise new questions, and afford information which we hope will be helpful to the Committee and to Congress as it develops its own plan of action to address AFN's "Call for Action."

FETAL ALCOHOL SYNDROME INITIATIVE

In 1987 the Alaska Native Health Board (ANHB) came to the department asking that we join in their efforts to respond to Fetal Alcohol Syndrome (FAS). FAS and alcohol related birth defects are the only completely preventable birth defect. Studies have demonstrated that more Alaska Native children are impacted by FAS than other Alaskan children. In addition, the Governor's Commission on Children and Youth (GICCY) identified FAS prevention as a state priority.

A working group was convened by the Office of the Commissioner, including representatives from ANHB, the Indian Health Service (IHS), the State Office of Alcohol and Drug Abuse, the Division of Family and Youth Services (DFYS), the Division of Public Health's Section of Family and Maternal Health, and the Division of Mental Health and Developmental Disabilities.

Our first accomplishment was the addition of two FAS outreach counselors, one at Anchorage's Clitheroe Center and the other at the Fairbanks Native Association's (FNA) Treatment Facility, to bring high-risk women into treatment and insure that their needs are being met while in treatment. In addition, FNA's program also received money to provide child care services for mothers in treatment. These counselors and services supplement those already available through IHS and ANHB.

We are also launching a multi-media campaign which will present radio and television public service announcements to both rural and urban audiences. The messages are designed to educate the public, stressing that drinking while pregnant is harmful and that there is help available. The campaign also will disseminate media kits to help educate reporters and media workers so that they will be educated and sensitized to the issues when they report.

Our next task will be to assist in implementation of new legislation adopted by the Alaska Legislature requiring that warnings about the risks of FAS be posted in all establishments that sell liquor, including restraunts.

CHILDREN OF ALCOHOLICS INITIATIVE

Studies have indicated that the children of alcoholics are at greater risk for alcoholism than children of non-alcoholics. Alaska's population is much younger than the national average and has a higher percentage of alcoholics which results in a higher rate of children of alcoholics. Again, with urging from GICCY, the department received funding for a new component of our alcoholism prevention grants to fund five new and innovative projects designed to address the needs of children of alcoholics. The grants went to programs in Aniak, St. Mary's, Juneau, Wasilla, and to a state-wide project.

PUBLIC INEBRIATES

Alaska adopted the Model Uniform Alcoholism, Intoxication, and Treatment Act in the mid 1970s. The Act, which recognized alcoholism as a disease, most appropriately treated in a health setting, also decriminalized public drunkenness. Despite this change, over 5,000 intoxicated Alaskans were detained in jails in "protective custody," in 1988. Alaska Natives are over represented in this group, with the rural community of Bethel having 1,300 "protective custody" cases.

Much more remains to be done, however. Through our treatment and prevention grants, we support a variety of community development projects carried out by Native organizations and the Rural Community Action Program. Through these activities, and others, we try to assist communities in initiating and guiding their own development. Alaska has responded to the problem by appropriating an additional one million dollars for Fiscal Year 1990 to address the public inebriate problem.

ALCOHOL COUNSELOR CERTIFICATION

In 1985 Alaska implemented a model alcohol counselor certification process designed to assure Alaska Native participation. It has become apparent, however, that Alaska Natives and other minorities are not being certified at the same rate as non-Natives. The Office of the Commissioner and the Alcoholism and Drug Abuse Advisory Board with SOADA, is undertaking a review of the criteria for alcohol counselor certification. Plans are underway for the creation of a working group to review the test, the training curriculum, as well as the relationship of certification to the administration of grant programs. Our objectives will be to sustain alcohol counselor certification, while guaranteeing that Alaska Natives from village and urban settings can achieve certification and fully participate in all aspects of the provision of treatment of alcoholism.

ALASKA YOUTH INITIATIVE

For three years, the department has been piloting a major effort to better serve the most disturbed children and adolescents. This project, the Alaska Youth Initiative, has focused on preventing the removal of Alaska Native youth with severe mental illnesses from their communities and avoiding placements in institutions outside of Alaska. This effort is based on a process of creating highly specialized, individualized treatment programs in the village itself, using local treatment teams and locally determined definitions of mental health and illness.

Carefully documented evaluation has shown that these special youth can be treated in the village, averting the trauma that would result from uprooting them from their homes.

In addition, the department has collaborated with the National Institute of Mental Health to establish mental health programs for children in six villages on Kodiak Island. The project is based on the idea that the villagers themselves should determine the scope and nature of service. As a result, four villages have successfully launched intervention programs to help Native youth who were previously at high risk of long term emotional disability.

GRANTS PROJECT

With support from GICCY and the Alaska Senate Special Committee on Suicide, the department has undertaken a review of the rigorous and unwieldy framework of our various grants programs. The Special Assistant for Grants Administration, whose position is funded only for the two year span of this project, has been conducting public meetings in all regions of the state to gather information from community providers about perceived problems with the grants system and proposed solutions. Our hope is to find a way to allow coordinated, predictable funding for locally developed programs without jeopardizing priorities for vulnerable client populations. A major, unresolved challenge is how to make our state programs more integrated with the IHS and Bureau of Indian Affairs funded programs, especially since we operate on different fiscal years.

COMMUNITY-BASED SUICIDE PREVENTION PROGRAM

The Community-Based Suicide Prevention Program is another initiative that arose from the findings of the Senate Special Committee on Suicide and GICCY. Most villages must rely on itinerant service delivery, in which health professionals and mental health service providers are based in regional hubs. Itinerant delivery cannot fully meet the community needs, nor does it encourage community based solutions and healing.

The Community-Based Suicide Prevention Program is an interactive grant program in which small grants are made to communities to develop or carry out plans of their own design to help reduce suicide. Assistance in developing the application is made available and grants are awarded only to communities that demonstrate widely diverse participation in the development process. 48 communities, mostly villages, have projects underway in the first year and second year applications are being received. This program has demonstrated the importance of having local involvement in every phase of a project. From planning to implementation and evaluation, promotion of local, community participation often sparked activity that went beyond the reach of project funding.

ALASKA NATIVE HIRE

Our department serves thousands of Alaska Native clients. In an effort to provide the best, and most culturally appropriate, service to Alaska Native clients, the department has been trying to improve our efforts to recruit, hire, and retain Alaska Native employees. The Division of Family and Youth Services has seen dramatic improvements in recent months in Bethel where our efforts have been intensive. We have nearly tripled the number of Alaska Natives hired as youth counselors for our juvenile detention facilities recently. Every division director in the department has made a commitment to report monthly on Equal Employment Opportunity activities beginning July 1st.

WELFARE REFORM

Alaska Native participation in welfare reform implementation affords an opportunity for rural communities and villages, that historically have suffered from the lack of employment and training resources, to shape the economic futures of their respective communities. The department has been working cooperatively with Alaska Native regional non-profit corporations concerning opportunities for these non-profits to operate programs to meet training and employment requirements mandated under the federal welfare reform legislation.

INDIAN CHILD WELFARE ACT AGREEMENT

The department remains committed to ongoing negotiations to develop state-tribal agreements under the Indian Child Welfare Act (ICWA). The next meeting of the state and tribal drafting groups is scheduled for June 1st and 2nd. Having been personally involved in the implementation of ICWA almost from its enactment, I am committed to achieving consensus about agreement prior to the end of Governor Cowper's term. Through these agreements, we can further define and clarify the means through which state and Alaska Native authorities and service providers work cooperatively to assure the well-being of Alaska Native children and the integrity of their families and cultures.

"MEGA" MEETINGS

For many years, the department has met on a quarterly basis with IHS officials in Alaska and on an invitational basis with the ANHB. Less than a year ago, the department signed an agreement with IHS and ANHB to hold a tripartite meeting twice a year. Our goals are to further effective communication, coordination, and advocacy. After having held two meetings, I believe we are in agreement about the value of these regular meetings.

The department has a formal agreement with the Ministry of Health for Canada to share information and foster collaboration about the provision of health and social services in northern and arctic environs. The Canadian officials are using our existing relationships with Native organizations and IHS as a conduit for establishing a link for gathering more information about the experiences in Alaska concerning community development and transfer of authority for service delivery.

TRI-DISCIPLINE CONFERENCE

The problems that people experience rarely fall exclusively within the expertise of a single professional helper. For rural Alaskans there is seldom a variety of professionals to choose from. Without community ownership and involvement, virtually none of the problems besetting Alaska Native people, and other Alaskans, can be prevented or ameliorated.

In recognition of these circumstances, the department has provided leadership to fully integrate its annual conference on alcohol and addictions and its annual mental health conference and to add to the of issues pertaining to interpersonal violence. We have devoted two full days of the conference to focus on community development, provider networking, and cross-training. Workshops were designed to meet the needs of the most highly trained professionals and of para-professionals and volunteers.

The 1989 five-day conference has just been concluded. With an almost 50 percent increase in attendance from last year, over 1,000 people attended representing every part of the state. A copy of the program for the 1989 conference is being provided with this testimony. Listed in it are the many supporters of the conference, including the Alaska Native Health Board and the U.S. Surgeon General's Office.

I am convinced that this tangible recognition of the need for all providers to work together with their communities and support community solution building represents a critical link to responding to the "Call for Action."

CONCLUSION

AFN provided the leadership to show all of us a picture of where we are. The picture is so compelling that it cannot be forgotten or ignored. It truly calls for action on all of our parts. New hope and new ideas, we believe, will come, if we listen to the people who are most affected, whether they live in rural or urban Alaska.

But, it will not be enough to merely listen, we must find ways to discover the solutions -- as state and federal entities, we must commit ourselves to making a contribution to attaining the solutions. As a state, we are committed to solutions that flow from the full participation of Alaska Natives. As a state, we are committed to working cooperatively with the Congress and the agencies of the federal government to realize improvement in the quality of lives of Alaska Native people.

Once again, I would like to thank you for your personal commitment and to urge the Congress to recommit itself and the needed resources to achieving our common goal.

The Honorble Daniel K. Inouye, Chairman, Senate Select Committee On Indiam Affairs; Distinguished Colleagues and Proffesional Staff.

Before my testimony, a brief Introduction I am Nangnetsulek Naunirtluk by real name and, by subculture adoptive name I am Kenneth Nanalook, but still a Yupik Eskimo. It is a great honor to come and state In which could very well help clarify the static between the states and Indigenous Inhabitants of Alaska.

However, If I may I would like to go Into record, and during this brief report I hope the reciepients will Interpret this as a grievance for what I am and who we are, rather than what we own, virtually no statistics but, the climax will be obvious the words of people affected will describe the Issues, problems their severity and recommendations for addressing the problems. Ironically, In any case the major failing pattern by way of "statistics" and the methodology behind Itself creates Internal problems and, no resolutions are reached either by two separate forces existing simultaneously and Interacting with one another, legislatively and economically, thereby creating tension between natives and non-natives.

What does preclude from States to take control, management and jurisdiction overall Indian Affairs, Is that a major flaw exists within The State Of Alaska's Constitution. Aricle 1 sections 1 and 3, altogether prohibit seperate treatment of state citizens which, leaves the State Of Alaska, politically, Is Incapable of meeting the dier needs of Our Distinct Independent Communities, further what Is unfolding at an alarming rate Is that their Implications provided by law and when Imposed upon us by way of adjudication and Interpretation, of laws It dawns to us that the process is rather acute, let alone that argument furthermore the process Is to eradicate human, subsistence rights, If not the entire way of life.

Mr. Chairman,

A question comes to mind; Could Congress under It's moral obligation and committments allow the States to reprimand human, subsistence rights of Indigenous Inhabitants at the expense of their anticipated economic gain, contrary to and In violation of statutes, codes and treaties which I believe The United States Government Is a signator to the United Nations?

Recent developments and what Is becomming an up hill battle for the State of Alaska, and It's Governor, Is concerning

Soverlegnty. Governor, Steve Cowper, seems to have some facts mixed up and should be rehabilitated to understand The Declaration of Independence.

Mr. Chairman,

A formal amicus brief should be entered and petition, notifying The Governor Of Alaska and The State Legislators: The Eskimo, Indians, and Aleuts have never waived, transferred and nor have we given up our sacred, basic fundemental rights to The State Of Alaska; On the basis the Treaty Of 1867 The Statehood Act of 1959, The Alaska Native Claims Settlement of 1971 and It's add on provision The Alaska National Intrest Lands Act Of 1980 "Do Not" establish claim as the Koslitzoff memorandum defines Russia could not Claim because United States and ~~[illegible]~~ Great Britain had rejected such a Claim.

Mr. Chairman,

As an Utimatum, I recommend that I on behalf of my Immediate family and others by kinship biological families after eighteen years of confusion created by what was a merely a Social and Economic Development Act Is being utilitized by the State Of Alaska proponents to show malitia and civil force which Is a blatant violation of The Briand-Pact Amendment. Furthermore, I urge this committee to Initiate a measure where It will lead to repealment and restore the legal status of Tribes In Alaska to correct for what was once a tragic mistake.

Mr. Chairman,

This concludes my prepared remarks, I await for any questions you might have that I may and might answer.

Best regards:

Kenneth N. Nanalook
Kenneth N. Nanalook
P.O. Box 5
Togiak, Alaska 99678

STATEMENT OF ALICE PETRIVELLI
CHAIRMAN OF THE BOARD
THE ALEUT CORPORATION

The people of the Aleut Region, covering the Aleutian and Pribilof Islands, support the Alaska Federation of Natives (AFN) in its special call for action on an extremely serious situation regarding the welfare of the Alaska Native people as a whole.

The grim social, health, education and economic picture of Alaska Natives as evidenced in The AFN Report on the Status of Alaska Natives: A Call for Action (1989), is one that is not unfamiliar to the Aleut Region. In recent years we have witnessed amongst our young people, the same kinds of tragic social problems such as suicide, homicide, and other violent crimes which, for the most part, is drug and alcohol related. These social, as well as health problems, seems to have clearly risen in proportion to a village's increased dependence on a cash economy where there is a serious lack of employment opportunities. The newly created corporate structure forced into the villages under ANCSA in the 1970's, for the most part, created false economic expectations that the village corporate leaders were charged with by its shareholders, and failed to live up to.

WHAT CAN GOVERNMENT DO AFTER ALL IT HAS SPENT ON NATIVE AMERICAN HEALTH AND SOCIAL SERVICES?

Continued threats of serious cutbacks in health and social services have been of no help to the already deteriorated morale of the Alaska Native People. One of the key recommendations of AFN is that the government must help the people help themselves. Increased government welfare dollars, we can probably all agree, is not the answer. Incentive-creating economic development programs instead should be the focus.

In order for the villages to more easily deal with their economic potentials through the help of government, the government should simplify the process for the villages in obtaining program funds, such as EDA grants, or have government field representatives easily available to the villages for developing plans and proposals.

Once again, we fully support AFN's recommendations to Congress, and thank you for your efforts towards helping the Alaska Native People.

WRITTEN STATEMENT OF TYONEK NATIVE CORPORATION TO SENATE SELECT COMMITTEE ON INDIAN AFFAIRS (FOR HEARING HELD IN ANCHORAGE, ALASKA: MAY 27, 1989)

Tyonek Native Corporation ("TNC") is a village corporation formed under the Alaska Native Claims Settlement Act (ANCSA) and is within the Cook Inlet region. TNC was formed for the benefit of Native enrollees of the Village of Tyonek. Tyonek is a Tanaina Indian community located on the west side of Cook Inlet.

In the vicinity of Tyonek village, TNC expects to eventually own well over 30,000 acres of surface estate. TNC is the major property owner in Tyonek. Since there is no viable economic base in Tyonek (according to various sources, unemployment in Tyonek is over 80 percent), TNC's role in the village economy will be critical.

TNC's land will provide locations for future economic enterprises and community growth, as well as raw materials (example: timber) for future industrial operations.

TNC has taken steps to utilize its lands to provide an economic base for the Tyonek community. We've negotiated a sale of some timber around our village, which will hopefully result in a timber operation employing our people. We've provided a port site and uplands near Tyonek in an option to lease agreement with an international mining corporation, in the expectation that the company will develop a port facility for coal export. We're also in the initial stages of developing a local tourism industry, with a tour planned for the Tyonek area this summer.

Development of our local economic base will not be without problems and complications. One problem unique to ANCSA land concerns the split fee ownership of this land. TNC only owns the surface estate to its lands received under ANCSA while Cook Inlet Region, Inc. ("CIRI") owns the subsurface estate. The definition of surface and subsurface rights and assets has been elusive. TNC has spent many thousands of dollars defending its surface rights from CIRI. According to CIRI's interpretation, it owns every pebble of gravel, every grain of sand, every rock, anything which can be used to build with, and everything below the surface of the land. Under such an interpretation, the regional corporation has monopoly control of all developmental activities of the surface. The village would be unable to freely use gravel to develop community roads because the regional corporation could block such use through its claim to gravel ownership. The regional corporation could prohibit the construction of underground foundation and utility systems because such systems would be seen as a trespass on the subsurface.

Even though a regional corporation is owned by Native people, it does not follow that the regional corporation will place a priority on local Native community interests. For example, in October 1986, Tyonek, along with other communities in Southcentral Alaska, experienced severe flooding. The flooding knocked out several local roads used by Tyonek village residents, isolating several people and crippling local transportation. Emergency work crews from the Kenai Borough Government and Bureau of Indian Affairs patched up the roads using several thousand yards of gravel from TNC land (on which these roads were located). Afterward, CIRI accused the Borough and BIA of taking this gravel without its permission and demanded compensation with threatening letters.

By its very nature, a regional corporation is a profit hungry animal that must get every single dollar it can because of its obligations to its shareholders and obligations to the other regional corporations under ANCSA Section 7(i). By controlling development of the surface, the regional corporation can extract a monopoly price from the surface owner, thereby making development more expensive than would normally be the case. Consequently, economic development projects on village lands will require above normal earnings thresholds to be financially feasible, fewer development projects will occur on village lands, and local village economies will suffer.

Because of this uncertainty of surface versus subsurface property ownership, our rights to our ANCSA land are therefore questionable. This uncertainty makes it difficult for us to use the property. Without clear property title to the surface, financing developments could be very difficult. We need our surface rights clearly protected. What point is there to surface ownership if the surface owner is subject to the whims of the subsurface owner?

Not only the rights of the village corporations, but also the rights of the public are at stake. The public already has a claim to a portion of village property under ANCSA Section 14(c). The uncertainties of surface title will adversely impact recipients of 14(c) lands, including individuals, businesses, nonprofit organizations (scout camps, churches, fraternal lodges, etc.), local government, and state government. What will a retail store owner do if he cannot use his property for long-term financing? What will the homeowner do if he cannot dig a basement for his house? Under Section 14(c), villages are obligated to reconvey a portion of village property to the public. The subsurface owner does not face the same obligation.

A public interest in village lands is also created through the actions of the village corporation as a property owner. Outside of 14(c), villages will transfer their property rights by various methods including sales, leases, use permits, easements and other means. The recipients of these rights will be subject to the same uncertainties of surface ownership as are the village corporations.

The public will thus have a greater interest in the surface estate rather than the subsurface. The suface estate can be subdivided into small parcels and transferred to a much wider range of individuals and organizations than can the subsurface estate (which is usually transferred to large natural resource extraction companies).

We, therefore, ask for your help in this matter. We request that title to all ANCSA surface estate be clearly protected so the surface can be used for surface purposes. We believe that, not only will the village corporations benefit, but also the public, who will be the final recipient of much village land.

crr#3

Kotzebue High School
Class Of 1989

Seniors	Parents/Guardian(s)
Tom Barr**+	Delano & Minnie Barr
Eleanor Brown	Ronald & Bonnie Brown
Renee Burnor	Daniel Burnor
Brandon Eliason**	Allan & Barbara Eliason
Brenda Eliason**+	Allan & Barbara Eliason
Cheree Ferguson	Frank & Sophie Ferguson
Andrea Gregg**+	Linda & Ted Davidovics
Loretta Gregg	James & Agnes Gregg
Fannie Clara Henry**	Donald Sr. & Helen Tucker
Teri Knox**+	Dr.Thomas & Nita Knox
Lance Kramer**	Dwight & Linda Kramer
Gordon Larsen	Vernon Richards & Lois Larsen
Elsie Melton**	Ingram & Edith Melton
Alvin W. Newlin	Gordon & Angie Newlin
Denice Ann Norton	Frank & Minnie Norton
Lahka Peacock**+	Albert & Patricia Peacock
Karen Eve Reich	Herman Sr. & Della Reich
Sheila Romane**	Steve Romane
Elizabeth Jane Saddoris	Robert & Opal Saddoris
Janice Marie Salesky**+	Carol & Victor Olsen
LaVerne Mary Schaeffer	Pete & Polly Schaeffer
Ina Gabriele Seiler**+	Wolf & Hildegard Seiler
Enoch Sheidt	Enoch & Mida Sheidt
Joanna Dawn Sours	Dolly Sours
Carl Stalker	Charles & Magdeline Stalker
Donene H. Stein**	Frank & Judith Stein
Robbie Stephens**	Robert & Joyce Stephens
Frank J. Tiepelman	Sarah Tiepelman
Minnie Melicia Walton	Larry & Daphne Wallace
George Yost	Lillian M. Goodwin

+Denotes National Honor Society Membership
**Denotes Honors Diploma

Class Of 1989
Kotzebue High School

Friday evening. May twenty-sixth
Eight o'clock

Atautchimun Makittugut Atautchikun Sutlarugut

Commencement Service

Musical Selection		Kotzebue High/Community Band
Processional	"War March Of Priests"	Kotzebue High/Community Band
	"Pomp And Circumstance"	Kotzebue High/Community Band
Invocation		Janet Barr
Salutatorian Address		I na Seiler and Andrea Gregg
Awards		
	Alaska Airlines Scholarship	Chester Ballot
	Kotzebue Electric Association Scholarship	Jeff Smith
	Student Government Scholarship	Kiana Peacock
	Kotzebue Lions Club Scholarship	O.J. Hasner
	OTZ Scholarship	Larry Jones
	Hughes,Thorenness,Ganntz,Powell & Brundin	Gordon Duval
	June Nelson Scholarship	Board Member
	Scholastic Incentive Grant	Dick Tardiff
	Peter MacManus Memorial Scholarship	Dick Tardiff
	Alaska State Vocational Association Scholarship	Dick Tardiff
	Alaska Teacher Scholarship Loan	Sophie Ferguson
	Kotzebue Dog Mushers Association Scholarship	Mike Scott
	KHS Faculty Scholarship	Brenda Olson
Introduction Of Speakers		Clara Henry and Lahka Peacock
Community Leader Address		Marie Green, President Maniilaq Association
Keynote Address		Honorable Ted Stevens, United States Senate
Class Presentation		Brandon Eliason, Class Of 1989 President
Conferring Of Diplomas		Sue Adams, Advisory School Board President Pamela VanWechel, Principal Jerry Covey, Superintendent Sophie Ferguson, Regional School Board President
Valedictorin		Brenda Eliason, Class Of 1989
Benediction		Rachel Adams
Receiving Line		Class Of 1989

Tulkisarmute IRA Council
General Delivery
Tuluksak, Alaska 99679
[redacted]

To: Honorable Senator Daniel K. Inouye
Date: May 31, 1989
Subject: federal funding and Programs

Dear Sir,

Since we could not make to your B.I.A. programs Hearing. We as the tribal councils of Tuluksak would like to have a written comment.

first of all the concurrent policy of June 30, 1985 mandated by the Congress should be terminated, in order to provide better federal funding to the Alaska natives. in the area of Educational programs. example: Vocational training & Employment programs, Since most of all the Alaska Natives needs this types of program. in order to be productive and able to maintain there own needs.

federal fundings for Health and social Services, General assistance, hip and Hud Housing programs. Should be on the top priority list. for Alaska Rural natives.

Bureau of Indian affairs programs in P.L.93-638 programs needs to be improved, funding sources for Tribal Council administration has to be increased, like for example of our village tribal council. monies we get approx. of only $3,000.00 over. just for Tribal administration. And we have to go thru all the red tape to get it.

(continued)

Tulkisarmute IRA Council
General Delivery
Tuluksak, Alaska 99679
[redacted]

And it is not enough to cover administration Kost for a period of 12 mos. to provide village service needs. Under P.L. 93-638 104 (a) Grant.

Existing Federally recognized tribal Governments Should have or should be able to revise or amend their existing Constitutions and by laws. or be able to set up tribal courts with some federal monies or grants. that we have been unable to get.

Since the Federally recognized tribes should be able to have government to government relationship with our Nations Capital, and have that right to request capital projects or grants directly. because the funds that are made available by the Capital get cut alongby the Federal agencies. And the tribes that suppose to get it. Almost get the zero balance that is not right as I see it. tribal council's Should have a direct access to those funding.

And as for the land that are selected under Ansca Corporations. which were created Dec/1971 Act, the Tribal Governments of the Alaska Natives Village should have that option to turn the land to their tribal Governments, not to other entity.

(continued)

Tulkisarmute IRA Council
General Delivery
Tuluksak, Alaska 99679
[redacted]

And. I guess you heard about the concerns of Alaska Natives. a need to control their own destiny. a right to have their own type of tribal or Village government. without interferrence fro. the State. looking at the history of State Chartered Village government they were formed at the show of hands by just few of the Village members.

Land and water resources needs to be address. that protects our Native Subsistence issues. since most of the rural Natives still are under federal & State low income level. and those Natives that have their Hunting & Fishing sites that are under Native alotment lands.

I hope you as an Honorable Senator. have a time to listen to our concerns and comments, because you are looking into Alaska Native issues. is looking into the right direction. and you have given me a chance to look forward. especially our future generations ahead. and with God's blessing. I say. thank you,

In Peace;
Andrew G. Alexie.

United States Senate
Select on Indian affairs

Apr 27th 1989

Status of Alaskan Natives of Marshall, Alaska

In the early 1900s gold was discovered in the Wilson Creek and Dissapointment Mines, and the Gold Rush Settlement of Marshall was formed by the Gold Miners in 1915. Today a few white men remain no more than 5.

First Natives of Marshall, Alaska

In the Years 1949-50s (Takchugmute Tribe of Takshak, Alaska and Ohogamuit, of Ohogamute, Alaska) Were forced to Move and RE-Locate to Marshall, Alaska by the orders of the-Territorial Comissiner, Magestrate L.E Ost. Because of Schools . the threat was Take your kids to school or the heads of the house holds will go to Jail. These Natives Today face hardships because they were forced to leave their Traditional Hunting grounds,

Today in the Village of marshall we face high unemployment poor housing, for many new familys living in Log dwellings with no sewer and drafty and hard to heat houses.many with children

The Natives in the Village of Marshall, Alaska Today the Majority depend on cash economy and subsistance 85& on cash Ecnomy and 15& Subsistance.

The Population of our village is 280 people.

This year our block grant did not go thru for community development. for housing improvement and sewer extention. so this year for this summer there will be little chance for employment on our people for captal improvement.

Ways to improve the Standard of living for our people

1. Improve commercial Fisheries. on the Yukon to allow Fisheries to remain open till late august to allow fall chums Fishing. to make up for the block grant we did not recieve.

2. In the long run, Re-establish these 2 villages Takshak, Alaska and Ohogamuit Alaska to enhance the subsistance way of life for those Native Tribes.

Alex Evan

Sincerly Yours Alex Evan
President, Native Village of Marshall
PO Box 110, Marshall,Alaska

ALASKA STATE LEGISLATURE

HOUSE OF REPRESENTATIVES

Representative Eileen Panigeo MacLean
P.O. Box 290
Barrow, Alaska 99723

WHILE IN JUNEAU
Box V
Juneau, Alaska 99811
465-4525
465-4833

Chairman
Community & Regional Affairs Committee

Vice-Chairman
State Affairs Committee
Bush Caucus

Member Finance Subcommittee
Community & Regional Affairs
Education
Corrections

District 22
Ambler
Anaktuvik Pass
Atqasuk
Barrow
Buckland
Deering
Kaktovik
Kiana
Kivalina
Kobuk
Kotzebue
Noatak
Noorvik
North Slope Borough
Northwest Arctic Borough
Nuiqsut
Point Hope
Point Lay
Selawik
Shungnak
Wainwright

JUNE 9, 1989

SENATOR DANIEL K. INOUYE, CHAIRMAN
SENATE SELECT COMMITTEE ON INDIAN AFFAIRS
SENATE HART BUILDING, ROOM 838
WASHINGTON, D.C. 20510

RE: OVERSIGHT HEARING ON THE STATUS OF ALASKA NATIVES

DEAR SENATOR INOUYE:

I APPRECIATE THE OPPORTUNITY TO SUBMIT, TO THIS COMMITTEE, MY COMMENTS CONCERNING THE STATUS OF ALASKAN NATIVES.

RECENTLY PUBLISHED ARTICLES AND REPORTS HAVE DOCUMENTED GROWING SOCIAL AND ECONOMIC CRISIS IN THE LIVES OF MANY ALASKAN NATIVES, PARTICULARLY THOSE LIVING IN RURAL VILLAGES.

AS HAS ALSO BEEN THE CASE IN NATIVE GROUPS THROUGHOUT THE U.S., A TRADITIONAL WAY OF LIFE WHICH EVOLVED OVER HUNDREDS OF YEARS AS A RESPONSE TO A PARTICULAR CLIMATE AND SEASONAL CONDITIONS IS BEING DISPLACED BY A NEW CULTURE BASED ON URBAN VALUES THAT OFTEN HAVE NO CORRELATION IN OUR NORTHERN, RURAL LANDS.

WHILE WE CHERISH MUCH THAT MODERNIZATION HAS PROVIDED, IT HAS BECOME INCREASINGLY EVIDENT THAT TRADITIONAL VALUES HAVE BEEN SACRIFICED IN AN ATTEMPT TO MOVE INTO A NEW WORLD. IF A TREE LOSES ITS ROOTS IT CAN NOT STAND. THAT IS TRUE OF A PEOPLE AS WELL.

THE INVASION OF THE WESTERN COMMERCIAL SOCIETY INTO OUR NORTHERN LANDS CARRIED THE SEEDS OF DESTRUCTION ALONG WITH THOSE OF TECHNOLOGICAL ADVANCEMENT. THE INFLUX OF NEW PEOPLES BROUGHT MANY DISEASES WHICH ONCE THREATENED TO DECIMATED OUR NUMBERS. WHILE IMPROVEMENTS IN HEALTH CARE HAVE HELPED US TO STABILIZED THIS THREAT WE NOW FIND OURSELVES PITIED AGAINST THE EVEN MORE DEADLY AND INSIDIOUS DISEASES OF ALCOHOLISM AND DESPAIR. IT IS THE BREAKDOWN OF OUR

TRADITIONAL VALUES BROUGHT ABOUT BY THE ATTEMPT TO ASSIMILATE THE VALUES OF THIS WESTERN COMMERCIAL CULTURE THAT HAS LEFT US CONFUSED AND SUSCEPTIBLE TO THESE NEW DISEASES.

COMMONLY, THE ONLY EXPOSURE VILLAGES HAVE HAD TO THE OUTSIDE WORLD HAS BEEN THROUGH THEIR CONTACT WITH TRANSIENTS, MISSIONARIES AND CARPETBAGGERS WHOSE VALUES ARE EXTREMES AT BEST. YET, SINCE THESE ARE THE ONLY EXAMPLES DEMONSTRATED THEY BECOME THE ACCEPTED VALUES WITHIN THE VILLAGE.

NOT ONLY DO THESE GROUPS REPRESENT EXTREME VALUES BUT THEY HAVE, AT TIMES, WORKED TO UNDERMINE OUR TRADITIONAL VALUES AS WELL. FOR EXAMPLE, MANY OF THE MISSIONARIES WHO CAME TO SHARE WITH US THEIR SPIRITUAL ENLIGHTENMENT DID SO AT THE COST OF OURS. THEY LOOKED DOWN AT OUR ESKIMO DANCING AND NATIVE LANGUAGE AS EXPRESSIONS OF HEATHENS. THOSE WHO WERE SENT TO TEACH US NEW VALUES DID SO BY TAKING AWAY OUR SELF-ESTEEM AND MAKING US ASHAMED OF THE VERY ROOTS OF OUR CULTURE. ON THE OTHER HAND, THE TRANSIENTS, WHILE OFTEN GOOD PEOPLE, IMPARTED VALUES OF RESTLESSNESS AND A DESIRE FOR EXCITEMENT AND CHANGE. FINALLY, THE CARPETBAGGERS CAME TO OUR COUNTRY LOOKING FOR RICHES. IT IS THEY THAT HAVE TAUGHT US THE MOST ABOUT WORKING IN THE WHITE WORLD. THEY BECAME OUR FRIENDS AND OUR LEADERS LOOKED TO THEM AS MODELS. NOW, THESE VERY PEOPLE ARE THE ONES THAT ARE BEING TRIED AND CONVICTED FOR CORRUPTION. WE LEARN THAT THESE "FRIENDS" MADE MILLIONS OF DOLLARS OFF OF OUR NAIVETE AND THAT THEIR VALUES ARE OF PERSONAL ADVANCEMENT AND GREED.

AS YOU CAN SEE, EACH OF THESE GROUPS BROUGHT WITH THEM VALUE SYSTEMS WHICH CONFLICTED WITH OURS AND EACH OTHERS. WITHOUT REALIZING THEIR IMPACT WE IMITATED THEM. AS REPRESENTATIVES OF A CULTURE AND COUNTRY THAT HAD SUCH TECHNOLOGICAL AND MATERIAL WEALTH WE ASSUMED THAT THEY ALSO OWNED GREAT SOCIAL WISDOM. IS IT ANY WONDER THAT MANY ALASKAN VILLAGER'S VALUES ARE THEN SO HAPHAZARD AND LACKING A MIDDLE GROUND?

IT IS THIS CONFUSION OF VALUES, FURTHER COMPOUNDED BY THE UNREALISTIC MATERIAL ASPIRATIONS IMPARTED BY TELEVISION, WHICH IS DRIVING OUR YOUTH TO ALCOHOLISM, DESPAIR AND EVENTUALLY SUICIDE. NOT ONE NATIVE PERSON IN MY DISTRICT HAS NOT BEEN TOUCHED BY THESE GRIEFS. OUR YOUNG ARE BEING TAKEN FROM US AT EVER INCREASING NUMBERS AND THE GREAT SORROW OF OUR LOSS IS THAT IT IS BY THEIR OWN HANDS.

IN MANY WAYS, THE EDUCATIONAL SYSTEM HAS BEEN AT THE ROOT OF THESE PROBLEMS AND IT SHOULD ALSO BE AT THE ROOT OF OUR CURE. NOT SO LONG AGO WE WERE FORBIDDEN TO SPEAK OUR

NATIVE LANGUAGE WHILE ATTENDING THE BIA SCHOOLS. IS IT THEN SO SURPRISING THAT MANY HAVE NOW FORGOTTEN THE TRADITIONAL VALUES THAT ALLOWED EACH PERSON TO KNOW THEIR OWN WORTH.

THE NEW EDUCATIONAL SYSTEM BROUGHT WITH IT FURTHER CONFLICTING VALUES. IT HAS TRIED TO TEACH US THE VALUES OF HARD WORK IN AN URBAN WHITE CULTURE. HOWEVER, NO ONE BROUGHT TO US THE MEANS TO SECURE THESE NEW VALUES. JOBS IN RURAL ALASKA CONSIST ALMOST ENTIRELY OF GOVERNMENTAL JOBS. THERE ARE NOT NEARLY ENOUGH OF THESE TO PROVIDE EMPLOYMENT TO PURCHASE THE MANY NEW THINGS THIS NEW CULTURE HAS TAUGHT US TO WANT OR THE TRANSITION FROM A MORE SIMPLE TRADITIONAL LIFESTYLE HAS LEAD US TO NEED. NEITHER HAS THE EDUCATIONAL SYSTEM IN RURAL ALASKA PROVIDED US, IN MANY CASES, WITH SUFFICIENT SKILLS TO COMPETE WITH NON-NATIVES FOR THE FEW JOBS AVAILABLE.

INSTITUTIONAL PREJUDICES HAVE BEEN INCORPORATED INTO THE EDUCATIONAL SYSTEM AND SUPPORTED BY LAW. FOR THE MOST PART, OUR TEACHERS HAVE BEEN FROM DISTANT AREAS AND HAVE HAD LITTLE KNOWLEDGE OR UNDERSTANDING OR OUR CULTURE. THEREFORE, THEIR ABILITY TO COMMUNICATE WITH AND TO STIMULATE OUR YOUTH HAS BEEN GREATLY DIMINISHED. NATIVE TEACHERS, WHO COULD BRING WITH THEM GREATER UNDERSTANDING OR OUR YOUTH, HAVE OFTEN BEEN DISCRIMINATED AGAINST IN THE CERTIFICATION PROCESS. AN EDUCATIONAL SYSTEM THAT IS DOMINATED BY UNIONS AND CREDENTIALED TEACHERS AND ADMINISTRATORS HAS DEVELOPED WHICH IS OFTEN INSENSITIVE TO LOCAL NEEDS AND FURTHER PROMOTES A SYSTEM WHICH HAS NO CHANCE TO SUCCEED IN ITS PRESENT FORM.

THE IDEAS OF FREEDOM AND INDEPENDENCE ADOPTED BY THE U.S. GOVERNMENT IN OUR DECLARATION OF INDEPENDENCE ARE THE HIGHEST, BUT IF THEY ARE NOT PUT INTO PRACTICE THEY BECOME LOST IN MUCK AND MIRE. WE MUST HAVE AN EDUCATIONAL SYSTEM WHICH RESPECTS THE DIVERSITY OF CULTURE AND IMPARTS A SENSE OF PRIDE FOR THE TRADITIONAL VALUES OF OUR PEOPLE.

DESPITE THE MILLIONS OF DOLLARS THAT THE STATE AND U.S. GOVERNMENTS HAVE SPENT ON PROGRAMS DESIGNED TO IMPROVE CONDITIONS WE HAVE LOST MORE THAN WE HAVE GAINED. BOTH THE STATE AND FEDERAL GOVERNMENTS HAVE MADE AN EFFORT THROUGH CAPITAL PROJECT GRANTS AND CONTRACTS TO MODERNIZE OUR RURAL AREAS. IT IS TRUE WE HAVE BENEFITED FROM SCHOOLS AND OTHER FACILITIES BUILT BY THEIR EFFORTS, BUT AS WE ARE OFTEN UNABLE TO AFFORD THEIR MAINTENANCE, EVEN THESE BENEFITS MAY SOON DISAPPEAR. MODERN BUILDINGS AND EQUIPMENT CAN NOT SUBSTITUTE FOR EMPLOYMENT. WE LACK JOBS WHICH CAN PROVIDE US WITH A SENSE OF WORTH. WE LACK AN EDUCATION SYSTEM WHICH CAN PROVIDE US WITH THE SKILLS TO EXIST IN BOTH WORLDS. OUR SUBSISTENCE LIFESTYLE IS

CONSTANTLY BEING THREATENED BY THE MODERN WORLD WHICH PLACES A GREATER VALUE ON COMMERCIAL OR SPORT USAGE THAN ON THE SIMPLE NEED FOR SURVIVAL.

THE STRENGTH OF TRIBAL GOVERNMENTS, WHICH COULD HAVE PLAYED A VITAL ROLE IN PROTECTING OUR CULTURAL PRIDE HAVE BEEN DIMINISHED. THE STATE OF ALASKA HAS OPPOSED SHARING POWER WITH NATIVE SELF-GOVERNING ORGANIZATIONS.

IN SUMMARY, ALASKAN NATIVES HAVE NOT FARED VERY WELL DURING THE 122 YEARS THAT THEY HAVE BEEN U.S. SUBJECTS. A ONCE HEALTHY AND HAPPY POPULATION SECURE IN THE WAYS OF OUR ANCESTORS, WE ARE NOW IN MANY CASES LOST BETWEEN TWO CULTURES.

I WOULD LIKE TO SUGGEST A HIGH LEVEL COMMISSION TO LOOK AT THE PROBLEMS OF ALASKAN NATIVES. THE PURPOSE OF THE COMMISSION WOULD BE TO CONDUCT A COMPREHENSIVE REVIEW OF FEDERAL AND STATE POLICIES AFFECTING ALASKAN NATIVES AND THE IMPLEMENTATION OF THOSE POLICIES INCLUDING THE CURRENT HEALTH, SOCIAL, AND ECONOMIC STATUS OF ALASKAN NATIVES.

THE STATE OF ALASKA RECOGNIZES THE NEED TO BUILD A NEW PARTNERSHIP BETWEEN THE STATE AND FEDERAL GOVERNMENTS. A SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A JOINT COMMISSION ON THE STATUS OF NATIVES REMAINS ON THE HOUSE CALENDAR TO BE ACTED UPON ON THE FIRST DAY OF THE NEXT SESSION. ONLY THE NEED FOR A PROMPT ADJOURNMENT PREVENTED ITS PASSAGE THIS YEAR.

HOWEVER, A STUDY BY ITSELF IS NO GOOD WITHOUT THE WILL TO FOLLOW THROUGH WITH SOME AGGRESSIVE INITIATIVES TO MAKE SOME REAL BREAKTHROUGHS AND ADVANCES. A COMPREHENSIVE REVIEW OF FEDERAL AND STATE POLICIES AND PROGRAMS THAT AFFECT ALASKAN NATIVES, WITHOUT PRECONCEIVED IDEAS OR COMMITMENTS TO THE PRESENT SYSTEM, IS LONG OVERDUE. AN OFFICIAL REVIEW OF THE STATUS OF ALASKAN NATIVES, THROUGH EITHER A JOINT CONGRESSIONAL COMMISSION OR A PRESIDENTIAL COMMISSION, WOULD BEGIN THE PROCESS NECESSARY TO INITIATE CHANGE AND TO BREAK THE CYCLE WHICH IS THREATENING A SEGMENT OF OUR COUNTRY.

SINCERELY

Rep. Eileen P. MacLean

EILEEN P. MACLEAN
ALASKA STATE HOUSE OF REPRESENTATIVES
DISTRICT 22

Gary Harrison, Treasurer
Native Village of Chickaloon
PO Box 1105
Chickaloon, Alaska 99674-1105

Distinguished Senator Inouye:

We tribal people have had a hard time conveying what has happened here in Alaska. I will try to convey a piece from my perspective. I will go to the history point prior to Treaty of Cession. Russia tried to claim dominion over Alaska, but the U. S., Britain, and France, etc. disagreed, so the Russian claim over dominion of Alaska was dropped. In 1866-7 when the deal between Russia and U.S.A. was struck, now referred to as the Treaty of Cession, and the explanation for the document known as the Kostlivtzov memorandum, world powers were not as stable as they are now. The super powers were only infants, and Russia was losing it's grip on trade in Alaska and as far as California at one time. So, instead of losing out totally, they sold their rights of trade and fortifications.

The deal was struck than the Kostlivtzov Memorandum explained in more detail why the Treaty of Cession was deemed Seward's Folly. The people that inhabited the land, known as the Natives: Indians, Aleuts, Eskimos, etc., still owned their land and the treaty had nothing to do with the Sovereignty issue. The Doctrine of Nations is that when a nation takes protection from a stronger one, it does not render up its sovereignty; which was recognized again in 1945 when the U.S.A.'s Treaty with the United Nations to bring the inhabitants of the territory of Marshall Islands, Hawaiian Islands, and Alaska up to self-government. This was to be a sacred trust. It was reaffirmed in a report to Congress in 1950.

It was claimed to be abrogated and disclaimed by the Statehood Act and the State Constitution. It was not noted in 1958 or 1959 when the vote for Statehood was taken that you had to read or write English to vote. This disqualified most of the Native inhabitants from voting for or against statehood and left only federal placements: government workers, military personnel and colonists, and very few other non-natives to vote. This violated the sacred trust, but still left the question of Jurisdiction in limbo. Public Law 280 was supposed to have conferred simultaneous jurisdiction. It was then amended by Public Law 284 in 1968 for mandatory consent of Tribes, and also lay down strict rules how to get that consent which was never followed. If the State did not amend their constitution, retrocession of Jurisdiction would give back anything conferred by PL 280 to the Tribes. Neither has been done.

In 1970 the State of Alaska amended the law to read or write English as a prerequisite to voting. Lo and behold, in 1971 just a year after, the Native Land Claims Act was passed, which was also a violation of the sacred trust of self-determination, also without the Tribal consent necessary. Not only was the Act very lengthy and hard to read, but court battles are still being fought over what it said. It said that it's for the Native people. The people it is to help are now poorer than before. The Federal Government knew they had to come up with a solution in 1978, when the Central Intelligence Agency report showed a Sovereignty Problem in Alaska.

The United States again confirmed that Natives have another course of action than Statehood when it passed the Compact of Free Association in 1986 with the Marshall Islands. Hawaii and Alaska are mentioned in this Compact also because of the trust territory relationship in Title 72 of Treaty with the United Nations.

Although the Compact of Free Association is as complicated as the Land Claims Act, it recognizes that Alaska's original inhabitants still have rights that have been violated; and just compensation has not been taken into account.

Presidents like Reagan and Bush have been giving speeches on self-government. The state has abused the trust responsibility. The Federal Government has abused their trust responsibility. The Genocide Treaty has been signed and made into law. All the abuses which your committee has in their records, believe it or not, proof or not, these Human Rights violations and others will not go unnoticed in the world's eyes. The information is out and headlines you see on Sovereignty will continue until the

United States and the State of Alaska change this revolting situation. There are already Villages ready for a more dignified government to government relationship to make the rhetoric and lip service into a reality.

Thank you.

Gary Harrison

Gary Harrison

May 26,1989

Select Committee
Indain Affiars
U S Senate
Washington, D C 20510

Diomede First Responders
General Delivery
Little Diomede,Alaska 99762

Dear Select Committee-

I was not able to get to go to Anchorage for the hearing that would be held Saturday as Mike Owens said that I should go to. Therefore,I am sending a letter for you to use on the hearings. I hope that all this will be taken seriously and in get detail. This funding is badly needed for Alaska for our region.

I am the driving force behind the First Responders here in Diomede and I am the one who started it out here since we are mostly on our own here and we have to wait for someone to come from Nome for Medivacs. Early this last fall,I have submitted a letter to all governments about our medivac system for Diomede since it is a hard place to get to and cost alot to come here. In an critical emergency,we have to wait for someone to come from Nome,weather permitting,to pick up the patient(s). That is why I have asked the State Dept. to help us set up a medivac system with the Russians here. They can be here in a few minutes rather than few hours from Nome.

And in return,we can help them out in medical emergencies. This is what I have beeen working on for so long. One patient had to wait 12 hours before he got to Nome from here,he was critical. Now what I am writing to you all about is that if we can get the EMS System funding for 1989 and in the future years,we can make a difference in saving lives and getting the proper medical transportation that they need. When we had Mike Owens come out here to hold classes,it costs us over 600.00 to have him come out here. He stayed for a total of 3 to 4 weeks. This year he cannot come out here yet because of lack of funds. He has told me when he went to Savoonga,it cost him and EMS over 500.00 to go there having first aid classes at the school.

Other villages have tried to get him to go to their villages to have classes, but,funding is not available. Not only that,if other villages have formed a first responder medical team like we did,they will need medical equipment also. The point is-are we going to let time and money cost someones life if we can save it? As far as the villages go,maybe they can get three or four educatedin first aid or EMT level to help the health aids,maybe we can make a difference in saving lives. All the equipment that we have here for the first responders is what I have bought with my own money out of my own pocket,I have set aside things and clothes that I could use to buy this equipment that can save a life. Even we use that up quick. So,in order for EMS to help others-they need the funding to do so. It is crucial that they can get an extra boost this year. So,please concider them for funding of at least $150,000.00 to help others and thier exspenses.

Sincerely,

Clyde Piscoya

Clyde Piscoya
DVFD Member Ass't Fire Chief
EMS Board member
Diomede First responder

KOTZEBUE IRA

P.O. Box 296
Kotzebue, Alaska 99752
(907) 442 - 3467

May 24, 1989

The Honorable Senator Daniel K. Inouye
United States Senate
Select Committee on Indian Affairs
Washington D.C. 20510-6450

Dear Senator Inouye:

Thank you for this opportunity to express our comments and some of the concerns and problems affecting particularly the Native people of Alaska.

As you well know, the problems of economic and social survival lay paramount directly in the laps of the Natives themselves. The sad history of external efforts at solving Native problems is best laid to fading memory. Ultimately, the most effective way to contribute to the most significant part of the solution to native problems is to have the Natives themselves strive for the solution. Lacking key components such as funding poses another obstacle to overcome, and in this situation we seek your assistance.

As you know, the structure to administer BIA funding is of great concern to those of us at the receiving end of the system, and whether or not the system in place is an asset or detriment to Natives overwhelmingly points in a negative direction. The function of Area Office, for instance, may have been state of the art for the horse and buggy and dogteam era, and that this obsolete function has outlived its usefulness. The reason for bringing this up is that in the State of Alaska, for instance, millions of dollars pours into the Juneau office area office, and the administration of this fund is the single largest cost and subtracts also from rural potential to an urban industry.

Given the situation as it exists, coupled with the fact of life that we as Native People find it increasingly difficult to maintain our identity and culture, contend that the State of

The Honorable Senator Inouye
Page 2
May 24, 1989

Alaska and the Federal Government either knowingly or not has increased the pressure to take the concept of assimilation and have begun to force their mandate down our throats. As an example,it is odd that for the most part, the native people composed of the remnants of a hunting culture are regulated out of what they do best, and that this logically potentially rural industry of whom there are no equal as hunters find it extremely difficult to take part in this most truly of rural economic opportunities, mostly due to state regulatory regimes and lack of federal intervention.

In light of the increased need to plan for short and long term, we have enclosed a draft outline of a 5 year plan, of which is still in the planning and discussion stage, pending the funding of the project. This outline could potentially serve other IRA's in the state as a guide to effective management for those who choose to use it. Included, also, is the Juneau Area Office budget for FY 89-90, of which you can make your own conclusions.

As far as the 5 year plan is concerned, it is painfully obvious that a strategy is needed not only to provide services with stability, but also to provide reasonable services to the native people themselves by themselves. This reflects our interpretation of Indian Self Determination. Without the key components the entire program cannot work. Hopefully, this appeal to you will serve notice of our perception of the problem, along with our perception of the answer. Thank you for your consideration.

We remain respectfully yours,

Pete Schaeffer, Chairman

Cheryl Edenshaw

Cheryl Edenshaw, Vice-Chairman

Helen Bolen, Secretary

RECEIVED MAR 0 6 1989

TO: Frank Stein, Chairman
Kotzebue IRA Council

FROM: Pete Schaeffer

SUBJECT: Self-Determination

DATE: March 2, 1989

As it is becoming more apparent that the term "self-determination" means that IRA's need to become much more aggressive in the acquisition of funds to operate not only programs, but to cover increasing costs of administration, two recommendations (for now) probably ought to be discussed. In administration, it is clear that the administrative costs need to be increased. Pending discussion by the council the rate most likely to be increased percentage wise to somewhere between 75% and to something nearing 100% (of each program expense). The other part of the discussion should center on the problem of securing funding itself for programs the the IRA is responsible for, and the possible exploration of new ones that may benefit the Native people of Kotzebue - which is the main reason for the existence of the organization.

With these and probably other problems that are becoming almost routine, it is even clearer that something needs to be done to address these and other unforeseen things that may happen and become a little out of control.

With these things in mind, I recommend to the council that a 5 year plan be discussed and adopted as a document to guide the administration and council of our IRA. If funds cannot be found to do this professionally by someone like Leonard Lane and Associates, then we do our own using this guide. It may look something like this.

I. Planning Process

   A. Strategic thinking "Brainstorming Session"
   B. Planning/Decision Making
   C. Actions stemming from decisions

II. Values and Goals statements - discuss and clarify

Historical profile - discussion of constitution/financial situation(s), etc.

IV. IRA Plan - define programs and associated costs

V. Unit Plans - discussions of MIP, ICWA, etc and trends (Historical and future guesswork)

VI. Support Unit Plans - discussions and functions of administration programs

VII. Plan Implementation

This needs to be in place to have some way of measuring progress (or otherwise).

VIII. Contingency Plan - Plan "X" in case something drastic happens

IX. Action Plans

This probably ought to include some plan to bypass BIA Area office - plus an organized effort to eliminate the high cost of administration of these offices, such as corresponding with Senator Stevens office, Senator Inouye's office, etc.

Depending again on whether we will have to do this ourselves will involve a lot of time, however, it should be worth the effort. Perhaps the chair can direct administration to set up a work session dedicated to this plan - at least for discussion by the council. From that we can get some idea as to whether we want to proceed with some kind of a plan or not. There is a definite need to begin to financially stabilize the IRA.

PS/mc15

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
DIVISION OF ADMINISTRATION
ELEMENT 72
ADMINISTRATIVE SERVICES

APPROPRIATION 149/2100 -		OBLIGATIONS		
OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS	AS OF 02/28/89	BALANCE	PERCENT OBLIGATED
BRANCH OF BUDGET MANAGEMENT:				
7261:....................	162,100	61,045	101,055	37.66%
BRANCH OF FINANCIAL MANAGEMENT:				
7262:.................	233,200	108,562	124,638	46.55%
BRANCH OF ACQUISITION AND PROPERTY MANAGEMENT:				
7363 - COMMERCIAL CONTRACTING:....		69,133		
7264 - PROCUREMENT/PROPERTY MANAGEMENT:................		95,298		
7266 - OFFICE SERVICES:...........		22,932		
SUBTOTAL:......................	524,300	187,363	336,937	35.74%
BRANCH OF PERSONNEL MANAGEMENT:				
ELEMENT 7265:.....................	330,600	131,045	199,555	39.64%
BRANCH OF OPERATIONS AND PLANNING:				
ELEMENT 7267:.....................	117,700	30,899	86,801	26.25%
DIRECTOR, DIVISION OF ADMINISTRATION:				
7290 - WORK ORDER DAD:............	121,100	56,125	64,975	46.35%
7290 - WORK ORDER EAP:............	0	2,352	-2,352	
7290 - WORK ORDER PERS:...........	16,600	0	16,600	
7290 - WORK ORDER JEM:............	0	1,500	-1,500	
7290 - WORK ORDER JAO:............	0	14,792	-14,792	
7290 - WORK ORDER ERR:............	0	38,615	-38,615	
7290 - WORK ORDER WPU:............	0	12,610	-12,610	
7290 - CONSOLIDATED TRAINING:.....	36,396	0	36,396	
SUBTOTAL:......................	174,096	125,994	48,102	72.37%
72 - GENERAL ADMINISTRATION TOTAL:...	1,541,996	644,908	897,088	41.82%

BRANCH OF BUDGET MANAGEMENT
MARCH 23, 1989

JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
DIVISION OF NATIVE SERVICES

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS BANDED PROGRAMS	NON-BANDED PROGRAMS	TOTAL	REPRO-GRAMMING ACTIONS AS OF 02/28/8	F.Y. 1989 FEDERAL EMPLOYEES RE-TIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLO-CATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/ AGENCY	P.L. 95-638 CONTRACTS	TOTAL	BALANCE	% OBLIG.
ACTIVITY 3700 - ECONOMIC DEVELOPMENT & EMPLOYMENT PROGRAM														
BUSINESS ENTERPRISE DEVELM'T:														
850-01 UNBANDED:														
3132 - INDIAN BUSINESS DEVELM'T GRANTS:.....................	0	500,000	500,000	0	0	0	500,000	0	500,000	30,000	0	30,000	470,000	6.00%
32 - CREDIT AND FINANCING:														
3261 - CREDIT SERVICES:														
800-01 JUNEAU AREA OFFICE:......	82,000	0	82,000	0	0	0	82,000	0	82,000	29,482	0	29,482	52,518	35.95%
850-01 UNBANDED:														
TECHNICAL ASSISTANCE:....	0	35,000	35,000	0	0	0	35,000	0	35,000	0	0	0	35,000	0.00%
32 - TOTAL:.............	82,000	35,000	117,000	0	0	0	117,000	0	117,000	29,482	0	29,482	87,518	25.20%
ACTIVITY 3700 TOTAL:............	82,000	535,000	617,000	0	0	0	617,000	0	617,000	59,482	0	59,482	557,518	9.64%

SERVICES:

2663 - TRAINING/TECHNICAL															
ASSISTANCE:															
H00-01 WORK ORDER IHS (DIRECT):.	120,000	0	120,000	0	1,900	0	121,900	3,100	125,000	50,560	0	50,560	74,440	40.45%
H50-01 UNFUNDED:														
2670 - SMALL TRIBE CORE MGT:....	0	300,000	300,000	0	0	0	300,000	0	300,000	0	0	0	300,000	0.00%
26 TOTAL:....................	120,000	300,000	420,000	0	1,900	0	421,900	3,100	425,000	50,560	0	50,560	374,440	11.90%
2895 - ADULT VOCATIONAL TRAINING														
H00-01 JUNEAU AREA OFFICE - (DIRECT):................	88,300	0	88,300	0	0	0	88,300	0	88,300	36,642	0	36,642	51,658	41.50%
ACTIVITY 3200 TOTAL:.........	371,300	350,000	721,300	0	4,000	0	725,300	-46,900	678,400	154,218	0	154,218	524,182	22.73%

Ask obf.

1/H01-01 ANCHORAGE AGENCY:......15.0
H04-01 BETHEL AGENCY:..........10.0
H05-01 FAIRBANKS AGENCY:......15.0
H09-01 SOUTHEAST AGENCY:......10.0

BRANCH OF BUDGET MANAGEMENT
MARCH 22, 1989

RESPONSIBILITIES:													
40 - TRUST SERVICES (GENERAL):.	161,200	0	161,200	0	0	0	161,200	0	161,200	48,616	0	48,616	112,584	30.16%
41 - OTHER RIGHTS PROTECTION:..	112,300	2,762,000	2,874,300	0	89,200	0	2,963,500	0	2,963,500	857,116	0	857,116	2,106,384	28.92%
42 - OTHER REAL ESTATE SVCS:..	188,000	397,000	585,000	0	3,700	0	588,700	0	588,700	119,905	0	119,905	468,795	20.37%
43 - FINANCIAL TRUST SVCS:....	0	31,800	31,800	0	0	0	31,800	0	31,800	11,031	0	11,031	20,769	34.69%
ACTIVITY 3400 TOTAL:........	461,500	3,190,800	3,652,300	0	92,900	0	3,745,200	0	3,745,200	1,056,668	0	1,056,668	2,708,532	27.63%
ACTIVITY 3500 - GENERAL														
ADMINISTRATION:														
71 - EXECUTIVE DIRECTION:......	146,700	0	146,700	0	2,200	0	148,900	0	148,900	37,551	0	37,551	111,349	25.22%
72 - ADMINISTRATIVE SERVICES:.	1,389,600	174,396	1,563,996	0	16,600	0	1,580,596	-38,600	1,541,996	644,908	0	644,908	897,088	41.82%
ACTIVITY 3500 TOTAL:........	1,536,300	174,396	1,710,696	0	18,800	0	1,729,496	-38,600	1,690,896	682,459	0	682,459	1,008,437	40.36%
ACTIVITY 3700 - ECONOMIC														
DEVELOPMENT AND EMPLOYMENT:														
31 - ECONOMIC BUS. DEVELOPMENT:	0	500,000	500,000	0	0	0	500,000	0	500,000	30,000	0	30,000	470,000	6.00%
32 - CREDIT AND FINANCING:.....	82,000	35,000	117,000	0	0	0	117,000	0	117,000	29,482	0	29,482	87,518	25.20%
35 - ROAD MAINTENANCE:......	0	129,000	129,000	0	0	0	129,000	0	129,000	58,598	0	58,598	70,402	45.41%
ACTIVITY 3700 TOTAL:........	82,000	664,000	746,000	0	0	0	746,000	0	746,000	118,080	0	118,080	627,940	15.83%

BRANCH OF BUDGET MANAGEMENT
MARCH 24, 1989

JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
DIVISION OF NATIVE SERVICES

APPROPRIATION 149/02100 -	F.Y. 1989 ALLOTMENTS			REPRO-GRAMMING ACTIONS AS OF 02/28/89	F.Y. 1989 FEDERAL EMPLOYEE RE-TIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLO-CATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89				
OPERATION OF INDIAN PROGRAMS:	BANDED PROGRAMS	NON-BANDED PROGRAMS	TOTAL							AREA/ AGENCY	P.L. 93-638 CONTRACTS	TOTAL	BALANCE	% OBLIG.
ACTIVITY 5200 - INDIAN SERVICES:														
TRIBAL ADMINISTRATION (GENERAL)														
RCO-01 JUNEAU AREA OFFICE (DIRECT):................	85,000	0	85,000	0	2,100	0	87,100	0	87,100	33,455	0	33,455	53,645	38.41%
22 - SOCIAL SERVICES:														
2266 - SOCIAL SERVICES:														
RCO-01 JUNEAU AREA OFFICE (DIRECT):................	78,000	0	78,000	0	0	0	78,000	0	78,000	33,561	0	33,561	44,439	43.03%
RGO-01 UNBANDED:														
2263 - CHILD WELFARE ASSISTANCE:..............	0	50,000 1/	50,000	0	0	0	50,000	-50,000 1/	0	0	0	0	0	
2277 - INDIAN CHILD WELFARE ACT (ICWA):................	0	0	0	0	0	0	0	0	0	0	0	0	0	
22 TOTAL:................	78,000	50,000	128,000	0	0	0	128,000	-50,000	78,000	33,561	0	33,561	44,439	43.03%

ACTIVITY 3900 - TRIBE AGENCY:														
E50-J1 JUNEAU AREA OFFICE (FIELD) 2/														
2163 - TRIBAL ADMINISTRATION:...	167,100	0	167,100	0	300	0	167,400	74,000	241,400	66,997	0	66,997	174,403	27.75%
2266 - SOCIAL SERVICES:.........	69,900	0	69,900	0	1,700	0	71,600	10,000	81,600	41,628	0	41,628	39,972	51.01%
2665 - ADULT VOCATIONAL TRNG:...	78,800	0	78,800	0	2,100	0	80,900	0	80,900	29,108 1/	0	29,108	51,792	35.98%
3261 - CREDIT SERVICES:.........	288,500	0	288,500	0	0	0	288,500	0	288,500	71,503	0	71,503	216,997	24.78%
ACTIVITY 3900 TOTAL:......	604,300	0	604,300	0	4,100	0	608,400	84,000	692,400	209,236	0	209,236	483,164	30.22%
APPROPRIATION 14X/02100 TOTAL:..	1,057,600	885,000	1,942,600	0	8,100	0	1,950,700	37,100	1,987,800	422,936	0	422,936	1,564,864	21.28%
APPROPRIATION 14X2301 -														
CONSTRUCTION:														
ACTIVITY 1144 - HOUSING:														
E00-04 JUNEAU AREA OFFICE:......	0	473,567	473,567	0	0	0	473,567	0	473,567	228,564	0	228,564	245,003	48.26%

1/INCLUDES 17,677 ERRONEOUSLY CODED TO F.Y. (J).
2/THERE ARE 3,209 OF ERRONEOUS OBLIGATIONS CHARGED AGAINST 2663/WORK ORDER ETA.

BRANCH OF BUDGET MANAGEMENT
MARCH 22, 1989

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
SOUTHEAST AGENCY

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:			F.Y. 1989 ALLOTMENTS	REPRO-GRAMMING ACTIONS AS OF 02/28/89	FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/ AGENCY	P.L. 93-638 CONTRACTS	TOTAL	BALANCE	PERCENT OBLIGATED
ACTIVITY 3200 - INDIAN SERVICES:														
NON-BANDED:														
2263 - CHILD WELFARE ASSISTANCE:............			0	0	0	0	0	10,000	10,000	0	0	0	10,000	0.00%
ACTIVITY 3200 TOTAL:..............			0	0	0	0	0	10,000	10,000	0	0	0	10,000	0.00%
ACTIVITY 3400 - TRUST														
RESPONSIBILITIES:														
40 - TRUST SERVICES (GENERAL):	161,200	0	161,200	0	0	0	161,200	0	161,200	48,616	0	48,616	112,584	30.16%
41 - OTHER RIGHTS PROTECTION:..	112,300	2,762,000	2,874,300	0	89,200	0	2,963,500	0	2,963,500	857,116	0	857,116	2,106,384	28.92%
42 - OTHER REAL ESTATE SVCS:..	188,000	397,000	585,000	0	3,700	0	588,700	0	588,700	119,905	0	119,905	468,795	20.37%
43 - FINANCIAL TRUST SVCS:....	0	31,800	31,800	0	0	0	31,800	0	31,800	11,031	0	11,031	20,769	34.69%
ACTIVITY 3400 TOTAL:........	461,500	3,190,800	3,652,300	0	92,900	0	3,745,200	0	3,745,200	1,036,668	0	1,036,668	2,708,532	27.68%
ACTIVITY 3500 - GENERAL														
ADMINISTRATION:														
31 - EXECUTIVE DIRECTION:......	146,700	0	146,700	0	2,200	0	148,900	0	148,900	37,551	0	37,551	111,349	25.22%
32 - ADMINISTRATIVE SERVICES:.	1,389,600	174,396	1,563,996	0	16,600	0	1,580,596	-38,600	1,541,996	644,908	0	644,908	897,088	41.82%
ACTIVITY 3500 TOTAL:........	1,536,300	174,396	1,710,696	0	18,800	0	1,729,496	-38,600	1,690,896	682,459	0	682,459	1,008,437	40.36%
ACTIVITY 3700 - ECONOMIC														
DEVELOPMENT AND EMPLOYMENT:														
31 - ECONOMIC BUS. DEVELOPMENT:	0	500,000	500,000	0	0	0	500,000	0	500,000	30,000	0	30,000	470,000	6.00%
32 - CREDIT AND FINANCING:.....	82,000	35,000	117,000	0	0	0	117,000	0	117,000	29,482	0	29,482	87,518	25.20%
35 - ROAD MAINTENANCE:........	0	129,000	129,000	0	0	0	129,000	0	129,000	58,578	0	58,578	70,422	45.41%
ACTIVITY 3700 TOTAL:........	82,000	664,000	746,000	0	0	0	746,000	0	746,000	118,060	0	118,060	627,940	15.83%

BRANCH OF BUDGET MANAGEMENT
MARCH 24, 1989

5700 impacted

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
F.Y. 1989 ALLOTMENTS
SUMMARY
ACTIVITY/[illegible]

APPROPRIATION 149/02100 – OPERATION OF INDIAN PROGRAMS: [illegible]	F.Y. 1989 ALLOTMENTS: BANDED PROGRAMS	F.Y. 1989 ALLOTMENTS: NONBANDED PROGRAMS	F.Y. 1989 ALLOTMENTS: TOTAL	REPRO-GRAMMING ACTIONS AS OF 2/28/89	F.Y. 1989 FEDERAL EMPLOYEES PAY [illegible] (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	[illegible] F.Y. 1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 2/28/89	[illegible] PROGRAMS	OBLIGATIONS AS OF 02/28/89: AGENCY	OBLIGATIONS AS OF 02/28/89: P.L. 93-638 CONTRACTS	TOTAL	BALANCE	% OBLIG.
OPERATIONS:														
81 – NORTH STAR OPERATIONS:	0	3,500,000	3,500,000	0	0	0	3,500,000	0	3,500,000	179,357	0	179,357	3,320,643	5.12%
ACTIVITY 3010 TOTAL:	0	3,500,000	3,500,000	0	0	0	3,500,000	0	3,500,000	179,357	0	179,357	3,320,643	5.12%
ACTIVITY 3100 – EDUCATION:														
10 – EDUCATION AND TRAINING:	0	424,500	424,500	0	0	0	424,500	0	424,500	185,611	0	185,611	238,889	43.72%
ACTIVITY 3100 TOTAL:	0	424,500	424,500	0	0	0	424,500	0	424,500	185,611	0	185,611	238,889	43.72%
ACTIVITY 3200 – INDIAN SERVICES:														
21 – OTHER AID TO TRIBAL GOVT.:	85,000	0	85,000	0	2,100	0	87,100	0	87,100	33,455	0	33,455	53,645	38.41%
22 – SOCIAL SERVICES:	78,000	50,000	128,000	0	0	0	128,000	0	128,000	33,561	0	33,561	94,439	26.22%
26 – SELF-DETERMINATION SRCS:	306,500	3,773,000	4,079,500	0	5,800	0	4,085,300	0	4,085,300	154,782	2,149,944	2,304,726	1,780,574	56.41%
30 – EMPLOYMENT ASSISTANCE:	88,300	0	88,300	0	0	0	88,300	0	88,300	36,642	0	36,642	51,658	41.50%
ACTIVITY 3200 TOTAL:	557,800	3,823,000	4,380,800	0	7,900	0	4,388,700	0	4,388,700	258,440	2,149,944	2,408,384	1,980,316	54.88%
ACTIVITY 3500 – FACILITIES														
MANAGEMENT:														
60 – FACILITIES GENERAL:	0	86,000	86,000	0	0	0	86,000	0	86,000	150,195	0	150,195	-64,195	0.00%
65 – FACILITIES OPERATION AND MAINTENANCE:	0	466,100	466,100	0	0	0	466,100	0	466,100	239,441	0	239,441	226,659	51.37%
ACTIVITY 3500 TOTAL:	0	552,100	552,100	0	0	0	552,100	0	552,100	389,636	0	389,636	162,464	70.57%

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
F.Y. 1989 ALLOTMENTS
SUMMARY
ACTIVITY

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS			REPRO-GRAMMING ACTIONS AS OF 2/28/89	F.Y. 1989 FEDERAL EMPLOYEES RE-TIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	RE-ALLOCA-TION ACTIONS AS OF 2/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89				
	BANDED PROGRAMS	NONBANDED PROGRAMS	TOTAL							AREA/ AGENCY	93-638 CONTRACTS	TOTAL	BALANCE	% OBLIG.
ACTIVITY:														
3010 - NORTH STAR OPERATIONS:...	0	3,500,000	3,500,000	0	0	0	3,500,000	0	3,500,000	179,357	0	179,357	3,320,643	5.12%
3100 - EDUCATION:...............	0	424,500	424,500	0	0	0	424,500	0	424,500	183,611	0	183,611	240,889	43.25%
3200 - INDIAN SERVICES:.........	555,800	3,825,000	4,380,800	0	7,900	0	4,388,700	0	4,388,700	258,420	2, 49,944	2,408,364	1,980,336	54.88%
3300 - FACILITIES MANAGEMENT:...	0	552,100	552,100	0	0	0	552,100	0	552,100	389,636	0	389,636	162,464	70.57%
3400 - TRUST RESPONSIBILITIES:..	461,500	3,190,800	3,652,300	0	92,900	0	3,745,200	0	3,745,200	1,036,668	0	1,036,668	2,708,532	27.68%
3500 - GENERAL ADMINISTRATION:..	1,536,300	174,396	1,710,696	0	18,800	0	1,729,496	-38,600	1,690,896	682,459	0	682,459	1,008,437	40.36%
3700 - ECONOMIC DEVEL. PROGRAMS:	82,000	664,000	746,000	0	0	0	746,000	0	746,000	118,060	0	118,060	627,940	15.83%
3800 - NATURAL RESOURCES DEVELOPMENT:.............	246,600	199,000	445,600	0	5,000	0	450,600	0	450,600	130,512	0	130,512	320,088	28.96%
3900 - TRIBE/AGENCY:............	18,381,400	0	18,381,400	0	62,600	0	18,444,000	0	18,444,000	1,929,463	11,497,472	13,426,935	5,017,065	72.80%
APPROPRIATION 149/02100 SUBTOTAL:..........................	21,265,600	12,527,796	33,793,396	0	187,200	0	33,980,596	-38,600	33,941,996	4,908,186	13,647,416	18,555,602	15,386,394	54.67%
ACTIVITY:														
3112 - JOHNSON-O'MALLEY:........	0	4,870,200	4,870,200	0	0	0	4,870,200	0	4,870,200	1,908,985	511,265	2,420,250	2,449,950	49.70%
APPROPRIATION 149/020100 TOTAL:..........................	21,265,600	17,397,996	38,663,596	0	187,200	0	38,850,796	-38,600	38,812,196	6,817,171	14,158,681	20,975,852	17,836,344	54.04%

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
DIVISION OF TRUST SERVICES

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS BANDED PROGRAMS	NONBANDED PROGRAMS	TOTAL	REPROGRAMMING ACTIONS AS OF 2/28/89	F.Y. 1989 FEDERAL EMPLOYEE RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/AGENCY	P.L. 93-638 CONTRACT	TOTAL	BALANCE	% OBLIG
ACTIVITY 3040 - NORTH STAR														
OPERATIONS:														
01 - NORTH STAR OPERATIONS:														
K00-07 SEATTLE LIAISON OFFICE:..	0	3,500,000	3,500,000	0	0	0	3,500,000	0	3,500,000	179,357	0	179,357	3,320,643	5.12%
ACTIVITY 3040 TOTAL:.........	0	3,500,000	3,500,000	0	0	0	3,500,000	0	3,500,000	179,357	0	179,357	3,320,643	5.12%
ACTIVITY 3400 - TRUST														
RESPONSIBILITIES:														
TRUST SERVICES (GENERAL):														
40 - TRUST SERVICES (GENERAL):														
K00-01 JUNEAU AREA OFFICE (DIRECT):................	161,200	0	161,200	0	0	0	161,200	0	161,200	48,616	0	48,616	112,584	30.16%
TRUST SERVICES TOTAL:........	161,200	0	161,200	0	0	0	161,200	0	161,200	48,616	0	48,616	112,584	30.16%
41 - RIGHTS PROTECTION:														
K00-01 JUNEAU AREA OFFICE (DIRECT):................	112,300	0	112,300	0	2,800	0	115,100	0	115,100	33,237	0	33,237	81,863	28.88%
NON-BANDED:														
K00-07 ALASKA NATIVE CLAIMS SETTLEMENT ACT (ANCSA) PROJECT														

4190 - OTHER RIGHTS PROTECTION:	0	1,097,000	1,097,000	0	69,900	0	1,166,900	0	1,166,900	493,229	0	493,229	673,671	42.27%
E10-01 JUNEAU AREA OFFICE:														
4131 - UNRESOLVED RIGHTS ISSUES:	0	90,000	90,000	0	0	0	90,000	0	90,000	0	0	0	90,000	0.00%
4161 - LITIGATION SUPPORT:	0	188,000	188,000	0	0	0	188,000	0	188,000	20,342	0	20,342	167,658	10.82%
4190 - ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT (ANILCA):	0	1,387,000	1,387,000	0	16,500	0	1,403,500	0	1,403,500	310,308	0	310,308	1,093,192	22.11%
NON-BANDED SUBTOTAL:	0	2,762,000	2,762,000	0	86,400	0	2,848,400	0	2,848,400	823,879	0	823,879	2,024,521	28.92%
41 TOTAL:	112,300	2,762,000	2,874,300	0	89,200	0	2,963,500	0	2,963,500	857,116	0	857,116	2,106,384	28.92%
42 -OTHER REAL ESTATE SERVICES:														
E10-01 JUNEAU AREA OFFICE (DIRECT):	188,000	0	188,000	0	3,700	0	191,700	0	191,700	56,298	0	56,298	135,402	29.37%
NON-BANDED:														
E10-01 JUNEAU AREA OFFICE:														
LEASE COMPLIANCE:	0	26,000	26,000	0	0	0	26,000	0	26,000	5,590	0	5,590	20,410	21.50%
LAND TITLES AND RECORDS:	0	65,000	65,000	0	0	0	65,000	0	65,000	58,017	0	58,017	312,983	15.64%
LAND RECORDS IMPROVE'TS:	0	306,000	306,000	0	0	0	306,000	0	306,000					
NON-BANDED SUBTOTAL:	0	397,000	397,000	0	0	0	397,000	0	397,000	63,607	0	63,607	333,393	16.02%
42 TOTAL:	188,000	397,000	585,000	0	3,700	0	588,700	0	588,700	119,905	0	119,905	468,795	20.37%
ACTIVITY 3400 TOTAL:	461,500	3,159,000	3,620,500	0	92,900	0	3,713,400	0	3,713,400	1,025,637	0	1,025,637	2,687,763	27.62%
ACTIVITY 3700 - ECONOMIC														
DEVELOPMENT PROGRAMS:														
NON-BANDED:														
35 - ROAD MAINTENANCE:														
E10-01 JUNEAU AREA OFFICE:	0	129,000	129,000	0	0	0	129,000	0	129,000	58,578	0	58,578	70,422	45.41%
ACTIVITY 3700 TOTAL:	0	129,000	129,000	0	0	0	129,000	0	129,000	58,578	0	58,578	70,422	45.41%

BRANCH OF BUDGET MANAGEMENT
MARCH 24, 1989

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
DIVISION OF TRUST SERVICES

APPROPRIATION 149/02100 -	F.Y. 1989 ALLOTMENTS			REPROGRAMMING ACTIONS AS OF 02/28/89	1989 FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 2/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89			BALANCE	% OBLIG
OPERATION OF INDIAN PROGRAMS:	BANDED PROGRAMS	NONBANDED PROGRAMS	TOTAL							AREA/ AGENCY	P.L. 95-638 CONTRACT	TOTAL		
ACTIVITY 3000 - NATURAL RESOURCE DEVELOPMENT:														
50 - NATURAL RESOURCES (GEN):														
E00-01 JUNEAU AREA OFFICE (DIRECT):................	64,400	0	64,400	0	0	0	64,400	0	64,400	29,252	0	29,252	35,168	45.39%
50 TOTAL:................	64,400	0	64,400	0	0	0	64,400	0	64,400	29,252	0	29,252	35,168	45.39%
52 - FORESTRY:														
E00-01 JUNEAU AREA OFFICE (DIRECT):................	182,200	0	182,200	0	5,000	0	187,200	0	187,200	52,083	0	52,083	135,117	27.82%
NON-BANDED:														
E50-01 JUNEAU AREA OFFICE:														
5221 - FOREST INVENTORIES/PLANS:	0	174,000	174,000	0	0	0	174,000	0	174,000	49,197	0	49,197	124,803	28.27%
52 TOTAL:................	182,200	174,000	356,200	0	5,000	0	361,200	0	361,200	101,280	0	101,280	259,920	28.04%
53 - MINERALS AND MINING:														
NON-BANDED:														
E00-01 JUNEAU AREA OFFICE:......	0	25,000	25,000	0	0	0	25,000	0	25,000	0	0	0	25,000	0.00%
53 TOTAL:......................	0	25,000	25,000	0	0	0	25,000	0	25,000	0	0	0	25,000	0.00%
ACTIVITY 3000 TOTAL:............	246,600	199,000	445,600	0	5,000	0	450,600	0	450,600	130,512	0	130,512	320,088	28.96%
ACTIVITY 3900 - TRIBE/AGENCY:														

1.1-1

40 1/ - TRUST SERVICES (GEN):....	117,700	0	117,700	0	6,300	0	124,000	0	124,000	43,372	0	43,372	80,628	34.98%
4122 - ENVIRONMENTAL QLTY SVCS:.	78,400	0	78,400	0	0	0	78,400	0	78,400	21,739	0	21,739	56,661	27.73%
41 - RIGHTS PROTECTION (GEN):.	481,000 1/	0	481,000	0	0	0	481,000 1/	0	481,000	50,419	0	50,419	430,581	10.48%
42 - ALL OTHER REAL EST. SVCS:	299,800	0	299,800	0	3,600	0	303,400	-50,000	253,400	67,956	0	67,956	185,464	26.81%
4261 - REAL ESTATE APPRAISALS:..	182,700	0	182,700	0	0	0	182,700	0	182,700	74,430	0	74,430	108,270	40.74%
51 - AGRICULTURE:............	92,200	0	92,200	0	0	0	92,200	0	92,200	33,813	0	33,813	58,387	36.67%
52 - FORESTRY:................	433,200	0	433,200	0	4,800	0	438,000	0	438,000	163,072	0	163,072	274,928	37.23%
54 - WATER RESOURCES:.........	16,400	0	16,400	0	0	0	16,400	0	16,400	0	0	0	16,400	0.00%
57 - WILDLIFE AND PARKS:......	98,700	0	98,700	0	0	0	98,700	0	98,700	35,631	0	35,631	63,069	36.10%
53 - MINERALS AND MINING:.....	8,800	0	8,800	0	0	0	8,800		8,800	0	0	0	8,800	0.00%
ACTIVITY 5300 TOTAL:.........	1,808,900	0	1,808,900	0	14,700	0	1,823,600	-50,000	1,773,600	490,412	0	490,412	1,283,188	27.62%
APPROPRIATION 1482100 TOTAL:.	2,517,000	6,987,000 2/	9,504,000	0	112,600	0	9,616,600	-50,000	9,566,600	1,884,496	0	1,884,496	7,682,104	19.70%
APPROPRIATION 14-6988085 (20)														
FEDERAL HIGHWAY TRUST FUND:														
ACTIVITY 1919 INDIAN RESERVATION ROADS PROGRAM:..........	0	2,257,000	2,257,000	0	0	0	2,257,000	0	2,257,000	647,922	0	647,922	1,589,078	28.98%
ACTIVITY 1921 ADMINISTRATION/ OVERHEAD:..................	0	126,000	126,000	0	0	0	126,000	0	126,000	54,128	0	54,128	71,872	42.96%
APPROPRIATION 14-6988085 TOTAL:..	0	2,363,000	2,363,000	0	0	0	2,363,000	0	2,363,000	702,050	0	702,050	1,916,022	29.71%

1/ ANCSA PROJECT OFFICE:........317.7
AREA OFFICE - FIELD OPERATION:..163.3
481.0

2/ INCLUDES AUTHORIZATION OF 3,500,000 FOR ACTIVITY 3010 - NORTH STAR OPERATION.

APPROPRIATION 1412301 -														
CONSTRUCTION ACTIVITY 1169 -														
FIRE SUPPRESSION:														
88 - EMERGENCY FIRE														
PRESUPPRESSION:................	0	0	0	0	0	0	0	0	0	71,375	0	71,375	-71,375	
ACTIVITY 1169 TOTAL:.........	0	0	0	0	0	0	0	0	0	71,375	0	71,375	-71,375	
APPROPRIATION 1412301 TOTAL:.	0	0	0	0	0	0	0	0	0	71,375	0	71,375	-71,375	

BRANCH OF BUDGET MANAGEMENT
MARCH 24, 1989

ADMINISTRATION:

72 - ADMINISTRATIVE SERVICES:

E00-01 JUNEAU AREA OFFICE:......	1,389,600	174,396 4/	1,563,996	0	16,600	0	1,580,596	-38,600 5/	1,541,996 6/	644,908	0	644,908	897,088	41.82%
ACTIVITY 3500 TOTAL:.........	1,389,600	174,396	1,563,996	0	16,600	0	1,580,596	-38,600	1,541,996	644,908	0	644,908	897,088	41.82%
ACTIVITY 3900 - TRIBE/AGENCY:														
26 - TRAINING/TECHNICAL ASST:														
E90-01 JUNEAU AREA OFFICE-FIELD P.L. 93-638 CONTRACTS AND GRANTS SECTION:..........	102,300	0	102,300	0	1,800	0	104,100	-6,700	97,400	17,501	0	17,501	79,899	17.97%
ACTIVITY 3900 TOTAL:.........	102,300	0	102,300	0	1,800	0	104,100	-6,700	97,400	17,501	0	17,501	79,899	17.97%
APPROPRIATION 149/02100 TOTAL:..	1,678,400	4,231,296	5,909,696	0	22,300	0	5,931,996	-48,400	5,883,596	1,167,278	2,149,944	3,317,222	2,566,374	56.38%
APPROPRIATION 14X5051 -														
OPERATION & MAINTENANCE OF QTRS:														
ACTIVITY 0051 - QUARTERS TOTAL:.	0	68,689	68,689	0	0	0	68,689	0	68,689	1,457 3/	0	1,457	67,252	2.12%

1/REPROGRAMMING TO CENTRAL OFFICE WHEN FINAL DETERMINATION IS MADE OF DIRECT COSTS.
FUNDS WILL BE REALLOCATED WHEN AGENCY BUDGET NEEDS ARE DETERMINED.

2/E00-01 JUNEAU AREA OFFICE:.... 1,912.
E02-01 BETHEL AGENCY:.........167,570.
E04-01 NOME AGENCY:........... 69,959.

4/ PERSONNEL MGT:......... 138,000.
CONSOLIDATED TRAINING:. 6,396.
CONSOLIDATED TRAINING:. 30,000.

3/E04-01 NOME AGENCY:........... 1,457.

5/ CENTRAL OFFICE REDUCTION AND REALLOCTED TO SUPPORT BUREAUWIDE ACCOUNTING CONSOLIDATION.
6/ SEE ATTACHED DISTRIBUTION FOR ELEMENT 72.

BRANCH OF BUDGET MANAGEMENT
MARCH 21, 1989

JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
DIVISION OF ADMINISTRATION

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS BANDED PROGRAMS	NON-BANDED PROGRAMS	TOTAL	REPROGRAMMING ACTIONS AS OF 2/28/89	F.Y. 1989 FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/AGENCY	P.L. 95-638 CONTRACTS	TOTAL	BALANCE	% OBLED
ACTIVITY 3200 - INDIAN SERVICES:														
26 - SELF-DETERMINATION SVCS:														
2663 - TRAINING/TECHNICAL ASST:														
BOC-01 JUNEAU AREA OFFICE-DIRECT P.L. 93-638 CONTRACTS AND GRANTS SECTION:......	186,500	0	186,500	0	3,900	0	190,400	-3,100	187,300	104,202	0	104,202	83,098	55.63%
2664 - CONTRACT SUPPORT:........	0	3,475,000	3,475,000	0	0	0	3,475,000	0	3,475,000	0	2,149,944	2,149,944	1,325,056	61.90%
ACTIVITY 3200 TOTAL:..	186,500	3,475,000	3,659,500	+0	3,900	0	3,663,400	-3,100	3,660,300	104,202	2,149,944	2,254,146	1,406,154	61.58%
ACTIVITY 3300 - FACILITIES MANAGEMENT:														
6062 - DIRECT RENTALS:..........	0	86,000	86,000	0	0	0	86,000 1/	0	86,000 1/	150,195	0	150,195	-64,195	
66 - EXISTING FACILITIES:.....	0	466,100	466,100	0	0	0	466,100 1/	0	466,100 1/	259,441 2/	0	259,441	226,659	51.37%
ACTIVITY 3300 TOTAL:.........	0	552,100	552,100	0	0	0	552,100	0	552,100	389,635	0	389,636	162,464	70.57%
ACTIVITY 3400 - TRUST RESPONSIBILITIES:														
4361 - FINANCIAL TRUST SERVICES:														
B30-01 JUNEAU AREA OFFICE:......	0	31,800	31,800	0	0	0	31,800	0	31,800	11,051	0	11,051	20,769	34.69%
ACTIVITY 3400 TOTAL:.........	0	31,800	31,800	0	0	0	31,800	0	31,800	11,051	0	11,051	20,769	34.69%

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
OFFICE OF THE AREA DIRECTOR

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS			REPRO-GRAMMING ACTIONS AS OF 02/28/89	F.Y. 1989 FEDERAL EMPLOYEE RE-TIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOT-MENTS	REALLOC-ATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89				
	BANDED PROGRAMS	NON-BANDED PROGRAM	TOTAL							AREA/ AGENCY	P.L. 95-638 CONTRACT	TOTAL	BALANCE	% OBLIG.
ACTIVITY 3500 - GENERAL														
ADMINISTRATION:														
71 - EXECUTIVE DIRECTION:														
7161 - EXECUTIVE SERVICES:														
E00-01 JUNEAU AREA OFFICE (DIRECT):..........................	146,700	0	146,700	0	2,200	0	148,900	0	148,900	37,551	0	37,551	111,349	25.22%
ACTIVITY 3500 TOTAL:............	146,700	0	146,700	0	2,200	0	148,900	0	148,900	37,551	0	37,551	111,349	25.22%
ACTIVITY 3900 - TRIBE/AGENCY:														
26 - SELF-DETERMINATION SERVICES:														
9•–2663 - TRAINING AND TECHNICAL ASSISTANCE:														
E50-01 JUNEAU AREA OFFICE - FIELD WORK ORDER (ABC):.......................	363,000	0	363,000	-300,200 1/	0	0	62,800	6,700	69,500	42,925 2/	0	42,925	26,577	61.76%
ACTIVITY 3900 TOTAL:............	363,000	0	363,000	-300,200	0	0	62,800	6,700	69,500	42,925	0	42,925	26,577	61.76%
APPROPRIATION 149/02100 TOTAL:.....	509,700	0	509,700	-300,200	2,200	0	211,700	6,700	218,400	80,474	0	80,474	137,926	36.85%

1/74.0 REPROGRAMMED TO E50-01/9/3900/2163.
10.0 REPROGRAMMED TO E50-01/9/3900/2266.
50.0 REPROGRAMMED TO E08-01/J/3900/2865.
150.0 REPROGRAMMED TO E05-01/9/3900/2163.
16.2 REPROGRAMMED TO E09-01/9/3900/2266.

2/OBLIGATED AGAINST WORK ORDER ERA 3,209.
OBLIGATED AGAINST WORK ORDER ALO 39,714.

BRANCH OF BUDGET MANAGEMENT
MARCH 22, 1989

61.
Amd 67.5

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
ANCHORAGE AGENCY

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS	REPRO-GRAMMING ACTIONS AS OF 02/28/89	FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/ AGENCY	OBLIGATIONS AS OF 02/28/89 P.L. 93-638 CONTRACTS	OBLIGATIONS AS OF 02/28/89 TOTAL	BALANCE	PERCENT OBLIGATED
ACTIVITY 3400 - AREA SERVICES												
NON-BANDED:												
2263 - CHILD WELFARE ASSISTANCE:	0	0	0	0	0	15,000	15,000	0	0	0	15,000	0.00%
ACTIVITY 3400 TOTAL:	0	0	0	0	0	15,000	15,000	0	0	0	15,000	0.00%
ACTIVITY 3500 - TRIBE/AGENCY:												
1365 - SCHOLARSHIPS:	846,300	0	0	0	846,300	0	846,300	0	822,000	822,000	24,300	97.13%
1362 - ADULT EDUCATION:	1,000	0	0	0	1,000	0	1,000	0	1,000	1,000	0	100.00%
2163 - OTHER AID TO TRIBAL GOVERNMENT:	632,300	0	200	0	632,500	0	632,500	34,597	515,10	550,097	82,403	86.98%
2261 - SOCIAL SERVICES:	189,800	0	0	0	189,800	0	189,800	0	184,40	184,400	5,400	97.15%
2661 - SELF-DETERMINATION GRANTS:	224,900	0	0	0	224,900	0	224,900	0	0	0	224,900	0.00%
2263 - TRAINING/TECHNICAL ASSISTANCE:	100,400	0	200	0	100,600	0	100,600	45,238	0	45,238	55,362	44.97%
2365 - ADULT VOCATIONAL TRAINING:	862,400	50,000	1,800	0	914,200	0	914,200	37,705 1/	816,70 2/	854,405	59,797	93.46%
2361 - DIRECT EMPLOYMENT:	231,400	0		0	231,400	0	231,400	3,044	137,50	140,544	90,856	60.74%
3261 - CREDIT AND FINANCING:												
35 - ROADS MAINTENANCE:												
40 - TRUST SERVICES (GENERAL):												
41 - OTHER RIGHTS PROTECTION: 3/	4,200	0	0	0	4,200	0	4,200	0	4,200	4,200	0	100.00%
42 - OTHER REAL ESTATE SERVICES:	447,300	0	6,500	0	453,800	0	453,800	65,550	256,000	321,550	132,250	70.86%
50 - NATURAL RESOURCES (GENERAL):												
51 - AGRICULTURE:	66,100	0	0	0	66,100	0	66,100	0	60,000	60,000	6,100	90.77%
5168 - AGRICULTURAL EXTENSION SERVICES:												
52 - FORESTRY:	89,700	0	0	0	89,700	0	89,700	80	0	80	89,620	0.09%
53 - MINERALS AND MINING:												
54 - WATER RESOURCES:												
57 - WILDLIFE AND PARKS:												
71 - EXECUTIVE DIRECTION: 4/	99,200	0	700	0	99,900	0	99,900	38,937	0	38,937	60,963	38.98%
71 - ADMINISTRATIVE SERVICES:	169,300	0	0	0	169,300	0	169,300	95,902	0	95,902	73,398	56.65%
ACTIVITY 3500 TOTAL:	3,964,300	50,000	9,400	0	4,025,700	0	4,025,700	341,391	2,776,900	3,118,291	905,409	77.50%
APPROPRIATION 149/02100 TOTAL:	3,964,300	50,000	9,400	0	4,025,700	15,000	4,038,700	341,391	2,776,900	3,118,291	920,409	77.21%
APPROPRIATION 14X2301 - CONSTRUCTION:												
ACTIVITY 1144 HOUSING:	621,632	0	0	0	621,632	0	621,632	36,277	61,192 CR.	61,192 CR.	646,547	0.00%

1/ ERRONEOUSLY CODED TO F.Y. 1989 RATHER THAN (J) FUNDS.
2/697,100 ERRONEOUSLY CODED TO F.Y. (9) RATHER THAN (J) FUNDS.
3/345 ERRONEOUS OBLIGATIONS AGAINST ACTIVITY 3400.
4/242 ERRONEOUS OBLIGATIONS AGAINST ACTIVITY 3500.

BRANCH OF BUDGET MANAGEMENT
MARCH 20, 1989

10 - [illegible]TION AND TRAINING:														
800-01 JUNEAU AREA OFFICE:......	0	160,500	160,500	0	0	0	160,500	0	160,900	61,567		0	61,567	98,933	38.36%
800-03 EDUCATION FIELD OFFICE, ANCHORAGE:..............	0	264,000	264,000	0	0	0	264,000	0	264,000	122,044		0	122,044	141,956	46.23%
10 TOTAL:......................	0	424,500	424,500	0	0	0	424,500	0	424,900	183,611		0	183,611	240,889	43.25%
ACTIVITY 3100 - TOTAL:.......	0	424,500	424,500	0	0	0	424,500	0	424,500	183,611		0	183,611	240,889	43.25%
APPROPRIATION 148/92100 - OPERATION OF INDIAN PROGRAMS: CARRYOVER														
F.Y. (I) FUNDS:														
ACTIVITY 3112 - JOHNSON-O'MALLEY														
12 - AID TO PUBLIC SCHOOLS:.....	0	124,172	124,172	0	0	0	124,172	0	124,172	444,699 CR.	246,408 CR.	691,107 CR.	815,279	00.0%	
ACTIVITY 3112 TOTAL:.........	0	124,172	124,172	0	0	0	124,172	0	124,172	444,699 CR.	246,408 CR.	691,107 CR.	815,279	00.0%	
ACTIVITY 3900 - TRIBE/AGENCY:														
1305 - SCHOLARSHIPS:														
801-01 ANCHORAGE AGENCY:........	22,588	0	22,588	0	0	0	22,588	0	22,588	0	31,884 CR.	31,884 CR.	54,472		
802-01 BETHEL AGENCY:........	0	0	0	0	0	0	0	0	0	0	39,884 CR.	39,884 CR.	39,884		
805-01 FAIRBANKS AGENCY:........	41,772	0	41,772	0	0	0	41,772	0	41,772	1,585 CR.	3,126	1,543	40,229		
804-01 NOME AGENCY:..............	5,375	0	5,375	0	0	0	5,375	0	5,375	0	32,354 CR.	32,354 CR.	37,729		
809-01 SOUTHEAST AGENCY:........	0	0	0	0	0	0	0	0	0	0	12,564 CR.	12,564 CR.	12,564		
1305 TOTAL:.....................	69,735	0	69,735	0	0	0	69,735	0	69,735	1,585 CR.	113,480 CR.	115,065 CR.	184,798		
ACTIVITY 3900 TOTAL:.........	69,735	0	69,735	0	0	0	69,735	0	69,735	1,585 CR.	113,480 CR.	115,065 CR.	184,798		
APPROPRIATION 148/92100 TOTAL:..	69,735	124,172	193,907	0	0	0	193,907	0	193,907	446,282 CR.	359,888 CR.	806,170 CR.	1,000,077		

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
ACTIVITY 1144 - HOUSING
SUMMARY

APPROPRIATION 14X2301 - CONSTRUCTION:	UN-OBLIGATED BALANCE CARRYOVER	F.Y. 1980 ALLOTMENT	F.Y. 1980 TOTAL AVAILABLE	F.Y. 1980 PENDING REALLOCATION REQUIREMENT RESERVE (RUB)	REVISED F.Y. 1980 ALLOTMENTS	OBLIGATIONS AS OF 2/29/80 AREA/ AGENCY	P.L. 93-638 CONTRACTS	TOTAL	BALANCE	% OBLIG
ACTIVITY 1144 - HOUSING:										
K10-01 JUNEAU AREA OFFICE:......	85,767	387,800	473,567	9,900	483,467	228,564	0	228,564	254,903	47.28%
K11-01 ANCHORAGE AGENCY:........	136,132	485,500	621,632	0	621,632	35,277	61,198 CR.	646,547 CR.	646,547	00
K12-01 BETHEL AGENCY:...........	74,443	636,200	710,643	0	710,643	0	183,465	183,465	597,178	25.00%
K13-01 FAIRBANKS AGENCY:........	204,048	485,300	689,348	0	689,348	1,524 CR.	37,953 CR.	39,477 CR.	727,825	00.0%
K14-01 NOME AGENCY:.............	170,655	559,900	730,555	0	730,555	0	95,135 CR.	95,135 CR.	825,690	00.0%
K15-01 SOUTHEAST AGENCY:........	121,187	381,700	502,887	0	502,887	0	86,588	86,588	416,275	17.22%
K20-01 FIELD OPERATIONS:........	0	0	0	0	0	0	16,921 CR.	16,921 CR.	16,921	00.0%
ACTIVITY 1144 TOTAL:........	755,040	2,932,600	3,727,640	9,900	3,737,540	262,428	40,002	304,105	3,433,341	8.14%

BRANCH OF BUDGET MANAGEMENT
APRIL 3, 1980

APPROPRIATION 149/02100 - OPERATION

OF INDIAN PROGRAMS: F.Y. (J) FUNDS:														
ACTIVITY 3112 - JOHNSON-O'MALLEY:														
12 - AID TO PUBLIC SCHOOLS:.....	0	4,870,200	4,870,200	0	0	0	4,870,200	0	4,870,200	1,908,985	511,265	2,420,250	2,449,950	49.70%
ACTIVITY 3112 TOTAL:.........	0	4,870,200	4,870,200	0	0	0	4,870,200	0	4,870,200	1,908,985	511,265	2,420,250	2,449,950	49.70%
ACTIVITY 3500 - TRIBE/AGENCY:														
1365 - SCHOLARSHIPS:														
E01-01 ANCHORAGE AGENCY:.........	846,300	0	846,300	0	0	0	846,300	0	846,300	0	822,000	822,000	24,300	97.13%
E02-01 BETHEL AGENCY:...........	580,800		580,800	0	0	0	580,800	0	580,800	0	580,800	580,800	0	100.00%
E05-01 FAIRBANKS AGENCY:.........	551,000	0	551,000	0	0	0	551,000	0	551,000	78,103	387,200	465,303	85,697	84.45%
E04-01 NOME AGENCY:.............	416,000	0	416,000	0	0	0	416,000	0	416,000	0	374,500	374,500	41,500	90.02%
E09-01 SOUTHEAST AGENCY:.........	789,900	0	789,900	0	0	0	789,900	0	789,900	0	773,054	773,054	16,846	97.87%
1365 - TOTAL:.................	3,184,000	0	3,184,000	0	0	0	3,184,000	0	3,184,000	78,103	2,937,554	3,015,657	168,343	94.71%
ACTIVITY 3500 TOTAL:..........	3,184,000	0	3,184,000	0	0	0	3,184,000	0	3,184,000	78,103	2,937,554	3,015,657	168,343	94.71%
APPROPRIATION 149-02100 TOTAL:..	3,184,000	4,870,200	8,054,200	0	0	0	8,054,200	0	8,054,200	1,987,088	3,448,819	5,435,907	2,618,293	67.49%

BRANCH OF BUDGET MANAGEMENT
APRIL 3, 1980

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
F.Y. 1989 ALLOTMENTS
OFFICE OF EDUCATION

APPROPRIATION 1492100 OPERATION OF INDIAN PROGRAMS: [illegible]	BANDED PROGRAMS	NONBANDED PROGRAMS	TOTAL	F.Y. 1989 REPRO-GRAMMING ACTIONS AS OF 2/18/89	F.Y. 1989 FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLOCATION ACTIONS AS OF 2/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATION AS OF 2/28/89 AREA/ AGENCY	OBLIGATION AS OF 2/28/89 P.L. 95-638 CONTRACTS	OBLIGATION AS OF 2/28/89 TOTAL	BALANCE	% OBLIG.
1365 - SCHOLARSHIPS:		789,900		0	0	0	789,900	0	789,900	0	773,054	773,054	16,846	97.87%
1362 - ADULT EDUCATION:		32,000		0	0	0	32,000	0	32,000	0	29,000	29,000	3,000	90.63%
2163 - OTHER AID TO TRIBAL GOVERNMENT:		116,500		0	0	0	116,500	0	116,500	212	113,500	113,712	2,788	97.61%
2256 - SOCIAL SERVICES:		417,600		16,200	0	0	433,800	0	433,800	0	408,500	408,500	25,300	94.17%
2661 - SELF-DETERMINATION GRANTS:		144,900		0	0	0	144,900	0	144,900	0	0	0	144,900	0.00%
2663 - TRAINING/TECHNICAL ASSISTANCE:		74,300		0	700	0	75,000	0	75,000	24,264	0	24,264	50,736	32.35%
2995 - ADULT VOCATIONAL TRAINING:		797,700		0	0	0	797,700	0	797,700	0	786,700 1/	786,700	11,000	98.62%
2961 - DIRECT EMPLOYMENT:		44,500		0	0	0	44,500	0	44,500	0	37,500	37,500	7,000	84.27%
32 - CREDIT AND FINANCING:														
35 - ROADS MAINTENANCE:														
40 - TRUST SERVICES (GENERAL):														
41 - OTHER RIGHTS PROTECTION:2/		0		0	0	0	0	0	0	0	0	0	0	
42 - OTHER REAL ESTATE SERVICES:		161,800		0	0	0	161,800	0	161,800	1,725	136,000	137,725	24,075	85.12%
50 - NATURAL RESOURCES (GENERAL):		31,900		0	0	0	31,900	0	31,900	0	0	0	31,900	0.00%
51 - AGRICULTURE:														
5165 - AGRICULTURAL EXTENSION SERVICES:														
52 - FORESTRY:		65,100		0	0	0	65,100	0	65,100	0	65,100	65,100	0	100.00%
53 - MINERALS AND MINING:														
54 - WATER RESOURCES:														
57 - WILDLIFE AND PARKS:														
71 - EXECUTIVE DIRECTION:		92,300		0	2,400	0	94,700	0	94,700	39,556	0	39,556	55,144	41.77%
72 - ADMINISTRATIVE SERVICES:		51,600		0	0	0	51,600	0	51,600	17,400	0	17,400	34,200	33.72%
ACTIVITY 3500 TOTAL:		2,820,100		16,200	3,100	0	2,839,400	0	2,839,400	83,157	2,349,354	2,432,511	406,889	85.67%
APPROPRIATION 149/02100 TOTAL:		2,820,100		16,200	3,100	0	2,839,400	0	2,839,400	83,157	2,349,354	2,432,511	406,889	85.67%
APPROPRIATION 1422301 - CONSTRUCTION:														
ACTIVITY 1144 - HOUSING:		502,867		0	0	0	502,867	0	502,867	0	86,588	86,588	416,279	17.22%

1/INCLUDES 466,800 ERRONEOUSLY CHARGED TO F.Y. (9) RATHER THAN TO F.Y. (J).
2/ 430 ERRONEOUS OBLIGATIONS CHARGED AGAINST ACTIVITY 3400.

BRANCH OF BUDGET MANAGEMENT
[illegible] 1989

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
F.Y. 1989 ALLOTMENTS
SUMMARY
ACTIVITY/ELEMENT

APPROPRIATION 149/02100 – OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS: BANDED PROGRAMS	NONBANDED PROGRAMS	TOTAL	REPROGRAMMING ACTIONS AS OF 2/28/89	F.Y. 1989 FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 93-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	REALLOCATION ACTIONS AS OF 2/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89: AREA/AGENCY	P.L. 93-638 CONTRACTS	TOTAL	BALANCE	% OBLIG.
ACTIVITY 3000 – NATURAL RESOURCE DEVELOPMENT:														
50 – NATURAL RESOURCES (GEN):	64,400	0	64,400	0	0	0	64,400	0	64,400	29,252	0	29,252	35,168	45.39%
52 – FORESTRY:	182,200	174,000	356,200	0	5,000	0	361,200	0	361,200	101,280	0	101,280	259,920	28.04%
53 – MINERALS AND MINING:	0	25,000	25,000	0	0	0	25,000	0	25,000	0	0	0	25,000	0.00%
ACTIVITY 3000 TOTAL:	246,600	199,000	445,600	0	5,000	0	450,600	0	450,600	130,512	0	130,512	320,088	28.96%
ACTIVITY 3500 – TRIBE/AGENCY:														
1365 – SCHOLARSHIPS:	3,184,000	0	3,184,000	0	0	0	3,184,000	0	3,184,000	78,103	2,937,554	3,015,657	168,343	94.71%
1362 – ADULT EDUCATION:	205,100	0	205,100	0	0	0	205,100	0	205,100	0	192,200	192,200	10,900	93.71%
21 – OTHER AID TO TRIBAL GOVT:	1,730,800	0	1,730,800	224,000	5,400	0	1,960,200	0	1,960,200	196,255	1,264,700	1,460,955	499,245	74.53%
22 – SOCIAL SERVICES:	1,124,900	0	1,124,900	26,200	2,000	0	1,153,100	0	1,153,100	62,553	978,800	1,041,353	111,747	90.31%
26 – SELF-DETERMINATION SVCS:	1,752,100	0	1,752,100	-300,200	8,200	0	1,460,100	0	1,460,100	230,044	64,518	294,562	1,165,538	20.17%
28 – EMPLOYMENT ASSISTANCE:	3,668,900	0	3,668,900	50,000	3,900	0	3,722,800	0	3,722,800	140,590	3,236,000	3,376,590	346,210	90.70%
32 – CREDIT AND FINANCING:	482,500	0	482,500	0	0	0	482,500	0	482,500	71,503	195,700	267,203	215,297	55.38%
40 – TRUST SERVICES [illegible]:	117,700	0	117,700	0	6,300	0	124,000	0	124,000	42,072	0	42,072	81,928	33.93%
4122 – ENVIRONMENTAL QLTY SVCS:	79,400	0	79,400	0	0	0	79,400	0	79,400	21,739	0	21,739	57,661	27.38%
41 – OTHER RIGHTS PROTECTION:	613,000	0	613,000	0	0	0	613,000	0	613,000	55,305	128,100	183,405	429,595	29.92%
4261 – REAL ESTATE APPRAISALS:	182,700	0	182,700	0	0	0	182,700	0	182,700	74,430	0	74,430	108,270	40.74%
42 – OTHER REAL ESTATE SVCS:	2,051,100	0	2,051,100	0	16,500	0	2,067,600	0	2,067,600	259,510	1,240,600	1,500,110	567,490	72.55%
50 – NATURAL RESOURCES (GEN):	256,800	0	256,800	0	0	0	256,800	0	256,800	0	239,800	239,800	17,000	93.38%
51 – AGRICULTURE:	679,000	0	679,000	0	0	0	679,000	0	679,000	33,813	608,600	642,413	36,587	94.61%
52 – FORESTRY:	691,800	0	691,800	0	4,800	0	696,600	0	696,600	163,152	168,900	332,052	364,548	47.67%
53 – MINERALS AND MINING:	68,800	0	68,800	0	1,000	0	69,800	0	69,800	8,357	0	8,357	61,443	11.97%
54 – WATER RESOURCES:	27,600	0	27,600	0	0	0	27,600	0	27,600	0	11,200	11,200	16,400	40.58%
57 – WILDLIFE AND PARKS:	471,600	0	471,600	0	3,900	0	475,500	0	475,500	63,444	230,800	294,244	181,256	61.88%
71 – EXECUTIVE DIRECTION:	501,200	0	501,200	0	7,700	0	508,900	0	508,900	255,345	0	255,345	253,555	50.18%
72 – ADMINISTRATIVE SERVICES:	494,400	0	494,400	0	2,900	0	497,300	0	497,300	183,248	0	183,248	314,052	36.85%
ACTIVITY 3500 TOTAL:	18,381,400	0	18,381,400	0	62,600	0	18,444,000	0	18,444,000	1,929,463	11,497,472	13,426,935	5,017,065	72.80%
APPROPRIATION 149/02100 TOTAL:	21,265,600	12,527,796	33,793,396	0	187,200	0	33,980,596	-38,600	33,941,996	4,908,186	13,647,416	18,555,602	15,386,394	54.67%

BRANCH OF BUDGET MANAGEMENT
MARCH 24, 1989

JUNEAU AREA
JUNEAU AREA OFFICE
F.Y. 1989 ALLOTMENTS
BETHEL AGENCY

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y. 1989 ALLOTMENTS	REPRO-GRAMMING ACTIONS AS OF 02/28/89	FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y. 1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAM	OBLIGATIONS AS OF 02/28/89 AREA/AGENCY	OBLIGATIONS AS OF 02/28/89 P.L. 93-638 CONTRACTS	OBLIGATIONS AS OF 02/28/89 TOTAL	BALANCE	PERCENT OBLIGATED
ACTIVITY 2000 - INDIAN SERVICES:												
NON-BANDED:												
2263 - CHILD WELFARE ASSISTANCE:	0	0	0	0	0	10,000	10,000	0	0	0	10,000	0.00%
ACTIVITY 2000 TOTAL:	0	0	0	0	0	10,000	10,000	0	0	0	10,000	0.00%
ACTIVITY 3900 - TRIBE/AGENCY:												
1305 - SCHOLARSHIPS:	580,800	0	0	0	580,800	0	580,800	0	580,800	580,800	0	100.00%
1382 - ADULT EDUCATION:												
2163 - OTHER AID TO TRIBAL GOVERNMENT:	227,600	0	0	0	227,600	0	227,600	0	227,600	227,600	0	100.00%
2206 - SOCIAL SERVICES:	109,800	0	0	0	109,800	0	109,800	0	109,800	109,800	0	100.00%
2661 - SELF-DETERMINATION GRANTS:	192,900	0	0	0	192,900	0	192,900	0	0	0	192,900	0.00%
2663 - TRAINING/TECHNICAL ASSISTANCE:	118,500	0	2,900	0	121,400	0	121,400	28,089	0	28,089	93,311	23.14%
2665 - ADULT VOCATIONAL TRAINING:	157,600	0	0	0	157,600	0	157,600	0	157,600	157,600 1/	0	100.00%
2681 - DIRECT EMPLOYMENT:	181,900	0	0	0	181,900	0	181,900	0	181,900	181,900	0	100.00%
32 - CREDIT AND FINANCING:	104,800	0	0	0	104,800	0	104,800	0	104,800	104,800	0	100.00%
35 - ROADS MAINTENANCE:												
40 - TRUST SERVICES (GENERAL):												
41 - OTHER RIGHTS PROTECTION:												
42 - OTHER REAL ESTATE SERVICES:	510,900	0	0	0	510,900	0	510,900	0	479,900	479,900	31,000	93.93%
50 - NATURAL RESOURCES (GENERAL):	224,900	0	0	0	224,900	0	224,900	0	207,900	207,900	17,000	92.44%
51 - AGRICULTURE:	101,600	0	0	0	101,600	0	101,600	0	101,600	101,600	0	100.00%
[illegible] - AGRICULTURAL EXTENSION SERVICES:												
52 - FORESTRY:												
53 - MINERALS AND MINING:												
56 - WATER RESOURCES:												
57 - WILDLIFE AND PARKS:												
71 - EXECUTIVE DIRECTION:	110,300	0	2,300	0	112,600	0	112,600	73,665	0	73,665	38,935	65.42%
72 - ADMINISTRATIVE SERVICES:	85,200	0	400	0	85,600	0	85,600	11,535	0	11,535	74,065	13.48%
ACTIVITY 3900 TOTAL:	2,704,800	0	5,600	0	2,710,400	0	2,710,400	113,289	2,151,900	2,265,189	445,211	83.57%
APPROPRIATION 149/02100 TOTAL:	2,704,800	0	5,600	0	2,710,400	10,000	2,720,400	113,289	2,151,900	2,265,189	455,211	83.27%
APPROPRIATION 14X2301 - CONSTRUCTION:												
ACTIVITY 1144 - HOUSING:	710,643	0	0	0	710,643	0	710,643	0	163,465	163,465	547,178	23.00%

1/ ERRONEOUSLY CODED TO F.Y. 1989 RATHER THAN F.Y. (J) FUNDS.

BRANCH OF BUDGET MANAGEMENT
MARCH 20, 1989

BUREAU OF INDIAN AFFAIRS
JUNEAU AREA
JUNEAU AREA OFFICE
F.Y.-1989 ALLOTMENTS
FAIRBANKS AGENCY

APPROPRIATION 149/02100 - OPERATION OF INDIAN PROGRAMS:	F.Y.-1989 ALLOTMENTS	REPRO-GRAMMING ACTIONS AS OF 02/28/89	FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)	F.Y. 1989 P.L. 95-638 PAY COSTS	REVISED F.Y.-1989 ALLOTMENTS	RE-ALLOCATION ACTIONS AS OF 02/28/89	REVISED F.Y. 1989 FINANCIAL PROGRAMS	OBLIGATIONS AS OF 02/28/89 AREA/AGENCY	P.L. 93-638 CONTRACTS	TOTAL	BALANCE	PERCENT OBLIGATED
ACTIVITY 3200 - INDIAN SERVICES:												
NON-BANDED:												
2263 - CHILD WELFARE ASSISTANCE:.............	0	0	0	0	0	15,000	15,000	0	0	0	15,000	0.00%
ACTIVITY 3200 TOTAL:.............	0	0	0	0	0	15,000	15,000	0	0	0	15,000	0.00%
ACTIVITY 3300 - TRIBE/AGENCY:												
1365 - SCHOLARSHIPS:.........................	551,000	0	0	0	551,000	0	551,000	78,105	387,200	465,305	85,695	84.45%
1362 - ADULT EDUCATION:......................	20,900	0	0	0	20,900	0	20,900	0	19,200	19,200	1,700	91.87%
2163 - OTHER AID TO TRIBAL GOVERNMENT:.......	430,600	150,000	4,500	0	585,700	0	585,700	40,110	280,100	320,210	277,482	82.87%
2266 - SOCIAL SERVICES:......................	337,800	0	300	0	338,100	0	338,100	20,176	276,100	296,276	41,824	87.63%
2661 - SELF-DETERMINATION GRANTS:............	119,100	0	0	0	119,100	0	119,100	0	0	0	119,100	0.00%
2663 - TRAINING/TECHNICAL ASSISTANCE:........	81,300	0	2,600	0	83,900	0	83,900	32,580	0	32,580	51,320	38.83%
2665 - ADULT VOCATIONAL TRAINING:............	587,500	0	0	0	587,500	0	587,500	87,513 1/	399,600 1/	487,113	100,387	82.91%
2661 - DIRECT EMPLOYMENT:....................	315,300	0	0	0	315,300	0	315,300	3,222	303,100	306,322	8,978	97.15%
32 - CREDIT AND FINANCING:...................	89,200	0	0	0	89,200	0	89,200	0	90,900	90,900	-1,700 2/	101.91%
35 - ROADS MAINTENANCE:......................												
40 - TRUST SERVICES (GENERAL):...............												
41 - OTHER RIGHTS PROTECTION:................	1,400	0	0	0	1,400	0	1,400	0	1,400	1,400	0	100.00%
42 - OTHER REAL ESTATE SERVICES:.............	475,600	0	6,400	0	482,000	0	482,000	82,111	233,000	315,111	166,889	65.38%
50 - NATURAL RESOURCES (GENERAL):............												
51 - AGRICULTURE:............................	92,600	0	0	0	92,600	0	92,600	0	92,600	92,600	0	100.00%
5140 - AGRICULTURAL EXTENSION SERVICES:......	9,900	0	0	0	9,900	0	9,900	0	9,900	9,900	0	100.00%
52 - FORESTRY:...............................	105,800	0	0	0	105,800	0	105,800	0	105,800	105,800	0	100.00%
53 - MINERALS AND MINING:....................	60,000	0	1,000	0	61,000	0	61,000	8,357	0	8,357	52,643	13.70%
54 - WATER RESOURCES:........................	11,200	0	0	0	11,200	0	11,200	0	11,200	11,200	0	100.00%
57 - WILDLIFE AND PARKS:.....................	372,900	0	3,900	0	376,800	0	376,800	27,813	230,800	258,613	118,187	68.63%
71 - EXECUTIVE DIRECTION:....................	97,600	0	2,300	0	99,900	0	99,900	49,519	0	49,519	50,381	49.57%
72 - ADMINISTRATIVE SERVICES:................	73,500	0	1,700	0	75,200	0	75,200	26,639	0	26,639	48,561	35.42%
ACTIVITY 3300 TOTAL:...............	3,811,400	150,000	25,100	0	3,984,500	0	3,984,500	443,699	2,478,900	2,922,599	1,061,901	73.35%
APPROPRIATION 149/02100 TOTAL:........	3,811,400	150,000	25,100	0	3,984,500	15,000	3,999,500	443,699	2,478,900	2,922,599	1,076,901	73.07%
APPROPRIATION 142301 - CONSTRUCTION:												
ACTIVITY 1144 - HOUSING:....................	688,348	0	0	0	688,348	0	688,348	1,524 CR	37,953 CR	39,477 CR	727,825	0.00%

1/ERRONEOUSLY CODED TO F.Y.-1989 RATHER THAN F.Y. (J) FUNDS.
2/CORRECTED TO APPROPRIATE COST ACCOUNT - 1362 - ADULT EDUCATION 3/89.

BRANCH OF BUDGET MANAGEMENT
MARCH 21, 1989

U.S. Senator Daniel Inouye
United States Senate

May, 25, 1989

I (We,) would like to bring to your attention several concerns that we as individual native people share in regards to the corporations set up under ANCSA, protection of and title to individual homesites, assets (I.E. traditional hunting & fishing lands and the traditional values.

First. the village corporations established under ANCSA do not provide the individual native (shareholder) the protection or avenues for charge, investigation, etc. that is offered by the State of Alaska through the Department of Commerce. In order to qualify for this assistance, a corporation must have 500 or more shareholders. Because of the sheer size of the majority of all village corporations, the corporations remain "closed" entities.

Facts and documentation are available for your review and consideration concerning what is and has happened in our village corporation of Eklutna Inc. Without taking time to disclose all the background information at this time, the villagers of

Eklutna, Inc. are being dominated by a few shareholders whose primary goal is not the corporation as a whole, as they claim. Rather, these people are using corporate monies for their own advantage at the expense of the individual shareholders. (High salaries, expense accounts, cars, unnecessary trips, exorbitant rents, etc.)

The individual shareholders are interested in preserving their homesites. In many cases shareholders are dislocated and can not live in the village or surrounding areas where they were born and raised!

Plans are underway to build a theme park in our village with the idea of "making money to pay dividends to the shareholders." The plan, as described to shareholders was accepted because of the slick sales talk given to the villagers and other shareholders. A petition signed by over 50% of the villagers stating they did not want their land used in this manner was presented to the Municipality of Anchorage Planning & Zoning Commission. The P&ZC requested input on this matter because these people are living in the area of the planned development. Yet because we do not have title to the land, the Commission would not accept the petition.

In many ways we are in a double jeopardy situation concerning many issues where the local and state governments are concerned such as probate, stock and land inheritance. We need one place as an airing panel and one place or person who can help us.

The 1970 U.S. census was used to qualify the village of Eklutna as a village corporation under ANCSA. The 33 people living there at the time, now do not have a place to live because of the efforts of a few in the village who have turned our home land into a personal investment. These same people denied their Indian/Native heritage prior to ANCSA. ANCSA brought them an unrealistic and unearned sense of ownership and business expertise and they are using this "power" at the expense of all of us.

④

Our uncle Bill Ezi filed the first land claims to the Eklutna and Matanuska lands back in 1953. What are our chances of pulling out of the present corporation and [illegible] [illegible] village [illegible]?

A previous commitment has kept me from being here to testify personally. However, in conclusion, let me state that we do need your help. Our traditional values teach us to help each other and ourselves. We have been to local, state and federal agencies as well as attorneys and have either run up against the "agency shuffle", lack of interest or people not being able to assist us in any way unless the individual has many dollars. Please keep in mind that I am asking not only assistance for my family and myself, but all of us who are facing the same problems within our village corporations.

Please feel free to write to me at P.O. Box 140533, Anchorage, AK 99514 with any questions or requests for documentation. I look forward to your earliest possible response.

Sincerely
Leo Stephan
LEO STEPHAN